

ORIGINAL

Decision No. 65797

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation  
 into the rates, rules, regulations,  
 charges, allowances and practices  
 of all common carriers, highway  
 carriers, and city carriers, relating  
 to the transportation of property in  
 the City and County of San Francisco,  
 and the Counties of Alameda, Contra  
 Costa, Lake, Marin, Mendocino,  
 Monterey, Napa, San Benito, San Mateo,  
 Santa Clara, Santa Cruz, Solano and  
 Sonoma.

Case No. 5441  
 (Petition for Modification  
 No. 62)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. **65794**, entered today, the Commission exempted transportation performed by means of armored highway vehicles from the provisions of Minimum Rate Tariff No. 2 and of four other minimum rate tariffs. That decision also found that, in order to avoid duplication of tariff distribution, each tariff should be amended by separate order.

IT IS ORDERED that:

1. City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A (Appendix "A" of Decision No. 41362, as amended) is further amended by incorporating therein, to become effective September 21, 1963, Eighth Revised Page 11 and Fourteenth Revised Page 12, which pages are attached hereto and by this reference are made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

3. In all other respects the aforesaid Decision No. 41362, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of JULY, 1963.

William W. Brandt  
President  
George L. Hoover  
Frederick B. Holoboff  
Commissioners

Item  
No.

SECTION NO. 1 - RULES AND REGULATIONS

DEFINITION OF TECHNICAL TERMS  
(Items Nos. 10 and 11)

\*ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bullet proof glass, and which is manned by an armed crew.

CITY DELIVERY or CITY DELIVERIES means transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the territory covered by this tariff at other than a carrier's depot, dock, wharf, pier, or landing.

COMMISSION means the Public Utilities Commission of the State of California.

COMMON CARRIER RATE means any intrastate rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; also any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b)(6) or Section 203(b)(8) of Part II of the Interstate Commerce Act.

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CURRENT CLASSIFICATION means Western Classification No. 76 of G. H. Dumas, Agent, and supplements thereto or reissues thereof when the provisions of such supplements or reissues have been approved by the Commission.

ESCORT SERVICE means the furnishing of pilot cars or vehicles by a carrier as may be required by any governmental agency to accompany a shipment for highway safety.

INHAUL means the transportation of property received from another carrier at a depot, wharf, pier, or landing originating beyond the limits of the territory covered by this tariff and delivered at one address to the consignee shown on the bill of lading of the carrier from which the shipment is received, or the transportation of property from public warehouses when delivered to one wholesaler consignee at one address.

INDEPENDENT-CONTRACTOR SUBHAULER means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.

OUTHHAUL means transportation of property in City Delivery and Shipping as defined herein.

PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires special authority from a governmental agency regulating the use of highways, roads or streets for the transportation of such shipment in whole or in part.

POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent.

POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation.

RATE includes charge and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.

SAME TRANSPORTATION means transportation of the same kind and quantity of property between the same points and subject to the same limitations, conditions and privileges, but not necessarily in an identical type of equipment.

(Continued in Item No. 11)

∅ Change )  
\* Addition ) Decision No. 65797

EFFECTIVE SEPTEMBER 21, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 299

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
	<p data-bbox="657 403 1332 481" style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES (Items Nos. 30 and 31)</p> <p data-bbox="355 520 1468 598">Rates named in this tariff apply for the transportation of all commodities except the following:</p> <p data-bbox="409 624 1494 794">Automobiles, automobile parts, accessories, and related articles in secondary movement by truckaway service when subject to the rates, rules and regulations set forth in Minimum Rate Tariff No. 12, amendments thereto or reissues thereof.</p> <p data-bbox="409 820 1477 1184">Cement, hydraulic, masonry, natural or Portland--also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement flue dust, and/or limestone, powdered, shipped in mixed shipments with cement--when transported in shipments of 40,000 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 40,000 pounds, which are set forth in Minimum Rate Tariff No. 10, amendments thereto or reissues thereof.</p> <p data-bbox="418 1210 1460 1354">Commodities as described in and for which rates are provided in Minimum Rate Tariff No. 7, amendments thereto or reissues thereof, when said commodities are transported in dump trucks.</p> <p data-bbox="392 1367 1485 1471">*6Commodities when transported in an armored car operated under permit from the Commissioner of the California Highway Patrol.</p> <p data-bbox="427 1497 1451 1640">Commodities weighing 100 pounds or less per piece or package when delivered from retail stores, or, when returned to the original retail store shipper via the carrier which handled the outbound movement.</p> <p data-bbox="435 1666 1485 1926">Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States government, governmental agencies, or nonprofit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported.</p> <p data-bbox="435 1953 1511 2382">Commodities which have been sold at retail by a retail merchant, and transported from a retail store or retail store warehouse to residences of retail customers, or transported from residences of retail customers to retail stores or retail store warehouses, and such transportation is performed in vehicles in the exclusive use of the retailer and providing no shipment exceeds 2,000 pounds in weight. Further, that the merchandise is for the use or consumption of retail customers and is not for use in the furtherance of an industrial or commercial enterprise; and provided that the retailer shall certify on the shipping document for each delivery that the merchandise was sold at retail to a retail customer.</p>

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Containers, produce, empty, as described in and for which rates are provided in Section No. 4 of Minimum Rate Tariff No. 8.

Fruits and vegetables, fresh or green (not cold pack nor frozen).

Furniture, household appliances and other home furnishings, transported from retail stores where they have been sold at retail by a retail merchant, or transported from retail customers to retail stores.

Liquids, compressed gasses, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles.

Motor vehicles when towed by a tow car.

Mushrooms, fresh (not cold pack nor frozen).

Nuts, in the shell.

Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed).

(Continued in Item No. 31)

∅ Change	)	Decision No. <b>55797</b>
* Addition	)	
∂ Reduction	)	

EFFECTIVE SEPTEMBER 21, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 300