

Decision No. 66287

**ORIGINAL**

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 car- )  
riers and city carriers relating )  
to the transportation of cement and )  
related products (commodities for )  
which rates are provided in Minimum )  
Rate Tariff No. 10). )

Case No. 5440

SUPPLEMENTAL OPINION AND ORDER

**66268**

By Decision No. \_\_\_\_\_, entered today, in Case No. 5432, et al., the Commission found that various minimum rate tariffs should be amended to reflect substitution of National Motor Freight Classification A-7 for Western Classification No. 78. References in Minimum Rate Tariff No. 10 to the Western Classification will be revised accordingly and other minor changes will be made in the tariff pages herein being revised.<sup>1</sup>

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix "A" to Decision No. 44633, as amended) is hereby further amended by incorporating therein, to become effective December 29, 1963, Eighth Revised Page 4 and Third Revised Page 10, which revised pages are attached hereto and by this reference made a part hereof.

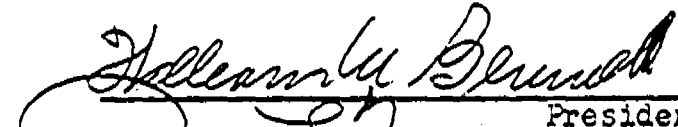
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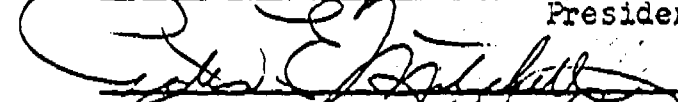
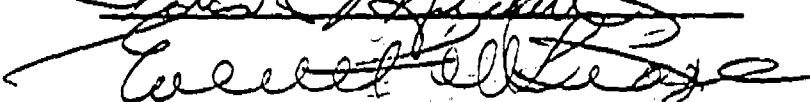
<sup>1</sup> Items Nos. 10 and 180 will be revised to define the Exception Ratings Tariff and make appropriate references thereto. The title of Item No. 190 will be made uniform with the title of similar items in the other minimum rate tariffs.

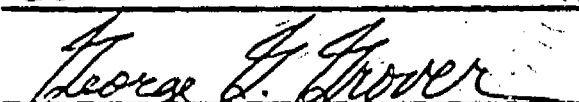
2. In all other respects, Decision No. 44633, as amended, shall remain in full force and effect.

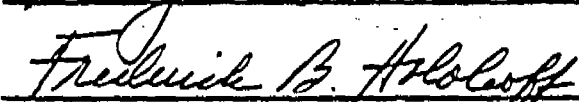
This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 5th day of November, 1963.

  
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President

  
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\_\_\_\_\_  
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITIONS</p> <p>CARRIER means a carrier, as defined in the City Carriers' Act, or a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act.</p> <p>COMMISSION means the Public Utilities Commission of the State of California.</p> <p>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; any interstate rate or foreign rate or rates of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully 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)(8) of Part II of the Interstate Commerce Act.</p> <p>DISTANCE TABLE means Distance Table No. 4, amendments thereto, or reissues thereof.</p> <p>*EXCEPTION RATINGS TARIFF means Exception Ratings Tariff No. 1 and supplements thereto or reissues thereof issued by the Commission.</p> <p>*GOVERNING CLASSIFICATION means National Motor Freight Classification A-7 and supplements thereto or reissues thereof.</p> <p>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.</p> <p>MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.</p> <p>♢PALLETS means second-hand (used) pallets as described in and subject to the provisions of Item No. 320 of Exception Ratings Tariff. It also means pallets which are returned or shipped in exchange for identical pallets.</p> <p>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignee within a radius of 300 feet from a single point will be considered as one point of destination.</p>	10

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, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignor within a radius of 300 feet from a single point will be considered as one point of origin.

POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including, without limitation, conveyor belts, electric powered cranes and lift truck equipment.

RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars or vessels.

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.

SHIPMENT means a quantity of property tendered for transportation to one carrier at one time on one shipping document by:

- (1) one shipper at one point of origin for one consignee at one point of destination; or
- (2) one shipper at one point of origin for one consignee at more than one point of destination, or for more than one consignee at one or more points of destination (split delivery).

UNIT OF EQUIPMENT means one or more motor vehicles (as herein defined) physically connected so as to form a complete unit.

⧫ Change )  
\* Addition ) Decision No. 66287

EFFECTIVE DECEMBER 29, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 45

SECTION NO. 1 - RULES AND REGULATIONS (Concluded)	Item No.
<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>When a common carrier rate is applied in lieu of or in combination with rates provided in this tariff, and the common carrier rate does not include accessorial services as performed by carrier, the following charges shall be made for such services:</p> <ol style="list-style-type: none"> <li>1. For unloading of shipments, in packages, at a point of destination to which the common carrier rate applies, 1½ cents per 100 pounds.</li> <li>2. For accessorial services for which charges are provided in this tariff, the additional charge or charges so provided.</li> <li>3. For other accessorial services for which charges are not otherwise provided in this tariff, the charges set forth in Item No. 100.</li> </ol>	170
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS</p> <p>A shipping document (either in individual or manifest form) shall be issued by the carrier to the shipper for each shipment received for transportation. The shipping document shall show the following information:</p> <ol style="list-style-type: none"> <li>(a) Name of shipper.</li> <li>(b) Name of consignee.</li> <li>(c) Point of origin.</li> <li>(d) Point of destination.</li> <li>(e) Description of the shipment (in terms of the Governing Classification, *Exception Ratings Tariff or as provided in this tariff).</li> <li>(f) Weight of the shipment (or other factor or unit of measurement upon which charges are based).</li> <li>(g) Rate and charge assessed.</li> <li>(h) Whether point of origin and/or point of destination is located at railhead and such other information as may be necessary to an accurate determination of the applicable minimum rate and charge.</li> </ol> <p>The form of shipping document in Section No. 3 will be suitable and proper.</p> <p>A copy of each shipping document shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p>	180
<p style="text-align: center;">UNITS OF MEASUREMENT TO BE OBSERVED</p> <p>Rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.</p>	190

ACCESSORIAL CHARGES NOT TO BE OFFSET BY  
TRANSPORTATION CHARGES

Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected whenever such services are performed, regardless of the level of the transportation rate assessed. Such accessorial charges may not be waived on the basis that a higher-than-minimum transportation rate serves as an offset.

195

∅ Change )  
\* Addition ) Decision No. 66287

EFFECTIVE DECEMBER 29, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 46