

ORIGINAL

Decision No. 66542

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 any and all commodi-)
ties between and within all points and)
places in the State of California)
(including, but not limited to, trans-)
portation for which rates are provided)
in Minimum Rate Tariff No. 2).)

Case No. 5432

And related matters.)

) Case No. 5435
) Case No. 5440
) Case No. 5441
) Case No. 5603

SUPPLEMENTAL OPINION AND ORDER

Decision No. 66268 dated November 5, 1963, established National Motor Freight Classification A-7 as the governing classification for certain minimum rate tariffs, effective December 29, 1963, and defined the term "Governing Classification" as meaning "National Motor Freight Classification A-7 and supplements thereto or reissues thereof." Subsequent to the issuance of that decision, the classification has been filed with the Commission in a form which requires redefinition of the term "Governing Classification" in the interest of clarity.

The necessary amendments to Minimum Rate Tariff No. 2 will be made by the order herein. Amendments to the other minimum rate tariffs will be made by separate orders to avoid duplication of tariff distribution.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) is hereby further amended by incorporating

C. 5432 (MRT 2), et al. - jm

therein, to become effective February 1, 1964, Twenty-third Revised Page 11 and Twelfth Revised Page 16 attached hereto and by this reference 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. 31606, 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 27th day of December, 1963.

William L. Brund
President
George H. Grover
Fredrick B. Holloff

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
10	<p data-bbox="629 479 1075 544">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p data-bbox="343 575 1367 671">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.</p> <p data-bbox="343 705 1384 828">CARRIER means a radial highway common carrier, a highway contract carrier or a cement contract carrier as defined in the Highway Carriers' Act, or a household goods carrier as defined in the Household Goods Carriers' Act.</p> <p data-bbox="343 861 1417 958">CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles operated as a single unit.</p> <p data-bbox="343 992 1400 1374">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 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)(6) or Section 203(b)(8) of Part II of the Interstate Commerce Act.</p> <p data-bbox="343 1408 1351 1505">CONSIGNOR means the person, firm or corporation shown on the shipping document as the shipper of the property received by the carrier for transportation.</p> <p data-bbox="343 1538 1367 1604">DISTANCE TABLE means Distance Table No. 4, amendments thereto or reissues thereof.</p> <p data-bbox="343 1637 1367 1734">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.</p> <p data-bbox="343 1768 1384 1833">ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p data-bbox="343 1867 1367 1932">EXCEPTION RATINGS TARIFF means Exception Ratings Tariff No. 1 issued by the Commission.</p> <p data-bbox="426 1966 459 1992">**</p> <p data-bbox="343 2059 1438 2124">GOVERNING CLASSIFICATION means National Motor Freight Classification A-7(Cal) as governed by National Motor Freight Classification A-7.</p> <p data-bbox="343 2158 1417 2307">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>

MULTIPLE LOT SHIPMENT means a shipment transported in accordance with the provisions of Items Nos. 85 or 86.

PALLETIZED SHIPMENT means a shipment tendered to and transported by the carrier on pallets (elevating-truck pallets or platforms or lift-truck skids, with or without standing sides or ends, but without tops).

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.

PICKUP AND DELIVERY CHARGE means the full charge applicable without the deduction authorized by Item No. 110.

POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant or receiving area of one consignee shall be considered as one point of destination. An industrial plant or receiving area of one consignee shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.

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. All points within a single industrial plant or shipping area of one consignor shall be considered as one point of origin. An industrial plant or shipping area of one consignor shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.

(Continued in Item No. 11)

Change
** Term "Exception Sheet" eliminated) Decision No. 66542

EFFECTIVE FEBRUARY 1, 1964

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 1418

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
50	<p style="text-align: center;">APPLICATION OF GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF</p> <p>(a) This tariff is governed to the extent shown herein by the Governing Classification and the Exception Ratings Tariff.</p> <p>(b) Where the ratings, rules and regulations or other provisions or conditions provided in the Governing Classification or Exception Ratings Tariff are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p>
655	<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs or classifications include references to amendments and successive issues of such publications.</p>
60	<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier. (Shipments may be picked up in multiple lots in accordance with the provisions of Item No. 85. Component parts of split pickup or split delivery shipments, as defined in Item No. 11 may be combined under the provisions of Items Nos. 160, 170, 220 and 230.)</p>
70	<p style="text-align: center;">GROSS WEIGHT</p> <p>Charges shall be assessed on the gross weight of the shipment. No allowance shall be made for the weight of containers. (See Exception)</p> <p>EXCEPTION - When palletized shipments subject to minimum weights of 20,000 pounds or more are loaded or unloaded by power-loading device, the weight of the pallets (elevating truck pallets or platforms or lift truck skids) shall not be used in determining the weight of the shipment nor the charges thereon. This exception applies only in connection with rates contained in this tariff, and is not applicable to shipments of empty pallets. When rail rates are used under the provisions of Items Nos. 200 through 230 of this tariff, the weight of the pallets shall be included or excluded in accordance with the provisions of the governing rail tariff.</p>

RATES BASED ON VARYING MINIMUM WEIGHTS

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When charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply. For the purpose of applying this item to a mixed shipment, deficiency between actual weight of the shipment and the greater minimum weight shall be computed at the rate applicable to the lowest rated commodity in the shipment.

Ø Change } Decision No. 66542
* Addition }

EFFECTIVE FEBRUARY 1, 1964

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 1419