

ORIGINAL

Decision No. 66545

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

By Decision No. 66542, entered today in Case No. 5432, et al., the Commission found that the tariff definition of "Governing Classification" in Minimum Rate Tariff No. 2 and certain other minimum rate tariffs should be amended by separate orders to avoid duplication of tariff distribution.

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 February 1, 1964, Tenth Revised Page 4 and Second Revised Page 7 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. 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 27th day of December, 1963.

William W. Bennett
President

George G. Grover

Fredrick B. Halachoff

Commissioners

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

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
DEFINITIONS	
<p>CARRIER means a carrier, as defined in the City Carriers' Act, or a radial highway common carrier, a highway contract carrier or a cement 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>	#10
<p>EXCEPTION RATINGS TARIFF means Exception Ratings Tariff No. 1 issued by the Commission.</p>	
<p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-7 (CAL) as governed by National Motor Freight Classification A-7.</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>	
<p>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.</p>	

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, Decision No.

66545

EFFECTIVE FEBRUARY 1, 1964

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.

Correction No. 50

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p align="center">RETURNED SHIPMENTS</p> <p>Articles refused by consignee may be returned to original shippers at original point of shipment at one-half of the outbound rate current at time of return movement upon the following conditions only:</p> <p>(a) Goods for the return movement properly identified must be presented to the carrier within ten days from the date that the outbound shipment was tendered to the carrier for transportation.</p> <p>(b) All charges must be prepaid or guaranteed. Shipping order for the return movement must show reference to original outbound shipment.</p> <p>(c) Goods must be returned over the lines of the carrier that transported the original outbound movement.</p> <p>Note:- The minimum charge specified in Item No. 90 does not apply in connection with return movements made in accordance with the foregoing provisions of this item.</p>	120
<p align="center">SPLIT DELIVERY</p> <p>Shipments which originate in Northern Territory, as defined in Item No. 80, may consist of several component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, subject to the following conditions and additional charges:</p> <p>(1) The composite shipment shall consist of not to exceed three component parts.</p> <p>(2) Charges shall be paid by the consignor when there is more than one consignee.</p> <p>(3) At the time of or prior to the tender of the composite shipment, the carrier shall have been furnished with written instructions showing the name of each consignee, the point or points of destination, and the kind and quantity of property in each component part.</p> <p>(4) The charge for the transportation of the composite shipment shall be the charge applicable for transportation of a single shipment of like kind and quantity of property, computed by applying the rate or rates for one-half the distance from point of origin to that same point via each of the points of destination.</p> <p>(5) In addition to the charge applicable for transportation of a single shipment of like kind and quantity of property, computed as set forth in paragraph 4, an additional charge of \$2.00 shall be made for each of the component parts comprising the composite shipment.</p>	130
<p 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>	135
<p> / Change) * Addition) Decision No. 66545 </p>	
<p>EFFECTIVE FEBRUARY 1, 1964</p>	
<p>Issued by the Public Utilities Commission of the State of California, Correction No. 51 San Francisco, California.</p>	