

ORIGINAL

Decision No. 66548

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 uncrated )  
new furniture (commodities for which )  
rates are provided in Minimum Rate )  
Tariff No. 11-A). )

Case No. 5603

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. 11-A (Appendix "A" of Decision No. 50114, as amended) is hereby further amended by incorporating therein, to become effective February 1, 1964, Fourth Revised Page 4 and Fourth Revised Page 5 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. 50114, 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 27<sup>th</sup> day of December, 1963.

William G. Blund  
President  
Robert G. Kege  
George H. Grover  
Fredrick B. Halhoff  
  
\_\_\_\_\_  
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.
DEFINITION OF TECHNICAL TERMS	
<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 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>DEPOT means an established freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p>	
<p>DISTANCE TABLE means Distance Table No. 4.</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 to the means by which such result is accomplished.</p>	<p>10</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>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.</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. 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.

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, although not necessarily in an identical type of equipment.

SHIPMENT means a quantity of property tendered for transportation to one carrier, and delivered into the custody of the carrier at one time on one shipping document by one shipper at one point of origin for one consignee at one point of destination.

UNCRATED NEW FURNITURE means new "Furniture" as described under the heading "Furniture Group" in the Governing Classification, and lamp shades or reflectors and lamp standards or electric lamps and shades combined when the furniture or other articles are tendered to the carrier loose (not in packages nor completely wrapped).

UNIT OF EQUIPMENT means a single motor vehicle or more than one motor vehicle connected as a single highway train.

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San Francisco, California.

Correction No. 38

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF TARIFF - CARRIERS</p> <p>Rates provided in this tariff are minimum rates established pursuant to the Highway Carriers' Act. They apply for the transportation of uncrated new furniture by radial highway common carriers and highway contract carriers as defined in said act.</p> <p>Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor subhaulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.</p>	20
<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL</p> <p>Rates in this tariff apply to transportation of shipments between all points within the State of California, except transportation:</p> <ol style="list-style-type: none"> <li>(1) Within incorporated cities;</li> <li>(2) Within or between zones described in the following Commission tariffs: <ol style="list-style-type: none"> <li>(a) Minimum Rate Tariff No. 1-B.</li> <li>(b) Los Angeles Drayage Area as described in Minimum Rate Tariff No. 5.</li> <li>(c) Minimum Rate Tariff No. 9-A.</li> </ol> </li> </ol>	30
<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 classification include references to amendments and successive issues of such publications.</p>	40
<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply to the transportation of uncrated new furniture except:</p> <ol style="list-style-type: none"> <li>(1) When transported from retail stores or retail store warehouses where the property has been sold at retail by a retail merchant, or transported from retail customers to retail stores or retail store warehouses.</li> <li>(2) Property of the United States, state, county or municipal governments or property transported under an agreement whereby the governments contracted for the carrier's services.</li> <li>(3) When transported under the vehicle unit rates, rules and regulations of Minimum Rate Tariff No. 15.</li> </ol>	50

Change  
\* Addition

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