

**ORIGINAL**Decision No. 68715

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 cement and related products (commodi-  
 ties for which rates are provided in  
 Minimum Rate Tariff No. 10).

Case No. 5440

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 68711, entered today in Case No. 5432 et al., the Commission found that various minimum rate tariffs should be amended to reflect the adoption of National Motor Freight Classification A-8 and its California Supplement A-8 (CAL) in lieu of National Motor Freight Classification A-7 and its California Supplement A-7 (CAL). The decision also found that, in order to avoid duplication of tariff distribution, the minimum rate tariffs should be amended by separate order. The tariff definition of "Governing Classification" in Minimum Rate Tariff No. 10 will be revised accordingly.

Therefore, good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix A to Decision No. 44633, as amended) is further amended by incorporating therein, to become effective April 1, 1965, Twelfth Revised Page 4 which is attached hereto and by this reference made a part hereof.
2. Tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than the fifth day after the effective date of this order,

on not less than five days' notice to the Commission and to the public and such tariff publications shall be made effective not later than April 1, 1965; and the tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier than the fifth day after the effective date of this order, and may be made effective on not less than five 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 page incorporated in this order.

3. Common carriers, in establishing and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

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

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

Dated at San Francisco, California, this 9th day of MARCH, 1965.

Frederick P. Holbrook  
President  
George E. Hoover  
William L. Bennett  
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p data-bbox="690 423 905 456" style="text-align: center;">DEFINITIONS</p> <p data-bbox="199 491 1306 617">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 data-bbox="199 650 1306 713">COMMISSION means the Public Utilities Commission of the State of California.</p> <p data-bbox="199 745 1293 1179">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 Utility 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 data-bbox="294 1212 1070 1249">DISTANCE TABLE means Distance Table No. 5.</p> <p data-bbox="206 1280 1186 1343">EXCEPTION RATINGS TARIFF means Exception Ratings Tariff No. 1 issued by the Commission.</p> <p data-bbox="206 1373 1276 1469">GOVERNING CLASSIFICATION means National Motor Freight Classification A-8 (CAL) as governed by National Motor Freight Classification A-8.</p> <p data-bbox="206 1499 1301 1658">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 data-bbox="206 1688 1285 1821">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 data-bbox="206 1852 1285 1985">PALLET means second-hand (used) pallets as described in and subject to the provisions of Item No. 320 of the Exception Ratings Tariff. It also means pallets which are returned or shipped in exchange for identical pallets.</p> <p data-bbox="206 2010 1301 2237">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 data-bbox="1362 1146 1428 1184" style="text-align: center;">10</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.

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. **68715**

EFFECTIVE APRIL 1, 1965

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

Correction No. 70