

Decision No. 69098

**ORIGINAL
FILED**

PUBLIC UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MAY 18 1965

SAN FRANCISCO OFFICE

Case No. 8182

Investigation on the Commission's)
own motion for the purpose of)
establishing rules to govern the)
construction and filing of freight)
tariffs and classifications issued)
by railroads.)

ORDER INSTITUTING INVESTIGATION
AND ESTABLISHING RULES

The Commission's Transportation Division Rate Branch staff has prepared proposed rules to govern the construction and filing of freight tariffs and classifications issued by railroads. These rules are intended to supersede those currently in effect, which were established by the Commission in 1912 and published in Tariff Circular No. 2.

The proposed rules, in draft form, were mailed by the Commission's staff to representatives of the railroads for study. Written comments have been received from Association of American Railroads (Bureau of Explosives), Pacific Southcoast Freight Bureau, Southern Pacific Company, Station List Publishing Company, The Railway Equipment and Publishing Co. and Trans-Continental Freight Bureau (Western Trunk Line Committee). They state that the proposed rules generally appear to be satisfactory with certain exceptions. No request for public hearing has been received.

The staff has recommended to the Commission that the proposed rules, with certain modifications, be prescribed by

general order to govern the construction and filing of freight tariffs and classifications issued by railroads. The modifications would provide for (1) the addition of subject titles for the various rules; (2) an index for such subject titles; (3) retention of a provision permitting partial amendment of an item under certain conditions; and (4) retention of the current simplified method of filing powers of attorney and concurrences. The fourth modification is generally supported by the above-named parties. The other modifications result from suggestions made by Pacific Southeast Freight Bureau. The new rules as now recommended by the staff would remove technical specifications which no longer serve any apparent useful public purpose, would supplant rules which have become outmoded and would complete the supersedure of Tariff Circular No. 2.

In the circumstances, the Commission finds that public convenience and necessity require that the general order set forth hereinafter should be adopted and that Tariff Circular No. 2 should be canceled. A public hearing is not necessary.

IT IS ORDERED that:

1. An investigation on the Commission's own motion is hereby instituted for the purpose of establishing rules to govern the construction and filing of freight tariffs and classifications issued by railroads.

2. General Order No. 125, which is attached hereto and by this reference made a part hereof, is hereby adopted to become effective August 1, 1965.

3. The remaining provisions of Tariff Circular No. 2, insofar as they apply to freight tariffs and classifications, are hereby superseded and Tariff Circular No. 2 is hereby canceled effective August 1, 1965.

4. The Secretary of the Commission shall serve a copy of this order upon all railroads and upon those parties who were served with a copy of the staff's proposal.

The effective date of Ordering Paragraphs 1 and 4 is the date hereof; the effective date of Ordering Paragraphs 2 and 3 shall be twenty days after the date hereof.

Dated at Los Angeles, California, this 18th day of May, 1965.

Frederick B. Holcliff
President
Arthur E. Mitchell
George H. Hoover
Dioguardi
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA

GENERAL ORDER NO. 125

RULES GOVERNING THE CONSTRUCTION AND FILING OF FREIGHT
TARIFFS AND CLASSIFICATIONS ISSUED BY RAILROADS

(The Provisions of this General Order Cancel and
Supersede the Provisions of Tariff Circular No. 2.)

Adopted MAY 18th 1965

Effective AUG 1 1965

Decision No. 69098, Case No. 8182.

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RULES GOVERNING THE CONSTRUCTION AND FILING OF FREIGHT
TARIFFS AND CLASSIFICATIONS ISSUED BY RAILROADS

(The Provisions of this General Order Cancel and
Supersede the Provisions of Tariff Circular No. 2.)

Rule A - EFFECTIVE DATE AND APPLICATION

- A.1 This General Order shall become effective on _____,
1965.
- A.2 Original tariffs filed on or after the effective date of
this General Order shall be constructed and filed in con-
formity with the rules herein established.
- A.3 Original tariffs filed prior to the effective date of this
General Order need not be reissued by reason of the issuance
of this General Order. However, supplements, amendments or
revised pages filed on or after the effective date of this
General Order shall be constructed and filed in conformity
with the rules herein established.

Rule B - REFERENCE TO CONSTITUTION AND CODE PROVISIONS AND TO
RATE CHANGE PROCEDURES

- B.1 The requirements of this General Order are in addition to
and supplementary to the requirements concerning the prep-
aration, construction and filing of rate schedules and
tariffs set forth in the Constitution of the State of
California and the Public Utilities Code. For convenience,
reference to some of the principal pertinent provisions
are cited below:

(a) Constitution (Article XII)

Subject

Section 19	Free or reduced rate trans- portation.
Section 20	Rate increases.
Section 21	Rate discrimination, long-and- short-haul rates.
Section 22	Tariffs must be observed with- out deviation.

(b) Public Utilities Code

Subject

Section 454	Rate increases.
Section 455	Suspension and investigation of rates.
Section 460	"Long-and-short-haul" rates and "aggregate of intermediate" rates.
Section 486	Posting and filing of tariffs.
Section 487	Contents of tariffs.
Section 488	Form of tariffs and assistance to the public.
Section 490	Form of tariffs can be pre- scribed by Commission.
Section 491	Minimum notice for change; symbols.
Section 492	Joint-rate tariffs.
Section 493	Tariffs must be filed before commencing service.
Section 494	Tariffs must be strictly ob- served.
Section 495	Interstate tariffs must be filed.

Section 530

Section 532

Free or reduced-rate transportation.

Assessment of tariff rates and prohibition against rebates or remissions.

B.2 The following rules and general orders of the Commission are applicable to the filing of applications and requests for rate and tariff changes with this Commission:

Rules of Procedure

(Decision No. 47081, as amended, in Case No. 4924; Decision No. 67491 in Cases Nos. 4924 and 7234)

General Order No. 109

General Order No. 113-A

Rules of practice and procedure applicable to formal proceedings before the Commission, including the Shortened Procedure Tariff Docket regulations.

Regulations governing the filing and handling of requests for tariff changes under the Special Tariff Docket.

Rules governing petitions for suspension and investigation of tariffs and schedules.

Rule 1 - DEFINITIONS

- 1.1 The term "carrier" means a railroad corporation.
- 1.2 The term "local rate," when used herein, means a rate that extends over the lines of one carrier only.
- 1.3 The term "joint rate," when used herein, means a rate that extends over the lines of two or more carriers.
- 1.4 The term "local tariffs," when used herein, means those tariffs which contain or are made up of "local rates."
- 1.5 The term "joint tariffs," when used herein, means those tariffs which contain or are made up of "joint rates."

Rule 2 - FILING OF TARIFFS

- 2.1 Tariffs, classifications, and exception sheets and supplements thereto shall be filed with the Commission by proper officer of the carrier or by an agent designated to perform that duty.
- 2.2 A joint agent duly authorized to act for several carriers must file joint tariffs or classifications or exception sheets under serial numbers of his own.
- 2.3 Tariffs issued by a carrier under its own numbers may include, under proper concurrences, rates via, and to and from points on other carriers' lines and concurring carriers may use such tariffs. Such tariff must be filed by the issuing carrier and such filing will constitute filing for all lawfully concurring carriers.
- 2.4 The agent or the carrier that issues a joint tariff publication shall at once send copies thereof to each and every carrier that is named as a party thereto.
- 2.5 A carrier that grants authority to an agent or to another carrier to publish and file certain of its rates must not in its own publications publish rates that duplicate or conflict with those which are published by such authorized agent or other carrier.

- 2.6 If an agent publishes a part but not all of the commodity rates of the carriers for which he acts, all of his tariffs containing commodity rates must bear notation that commodity rates not shown therein are to be found in the carriers' individual issues.
- 2.7 The law affirmatively imposes upon each carrier the duty of filing with the Commission all of its tariffs and amendments thereto, as prescribed in the law or in any rule relative thereto which may be announced by the Commission, under penalty for failure so to do, or for using any rate which is not contained in its lawfully published and filed tariffs. The fact that receipt of a tariff, or supplement to a tariff, is acknowledged by the Commission, or the fact that a tariff, or supplement to a tariff, is in the files of the Commission will not serve or operate to excuse the carrier from responsibility or liability for any violation of the law, or of any ruling lawfully made thereunder, which may have occurred in connection with the construction or filing of such tariff or supplement.
- 2.8 Each carrier files tariffs under numbers which are presumed to be used consecutively. Occasionally a tariff or supplement is received which does not bear a number next in numerical order to that borne by the last one filed. This is sometimes occasioned by the missing number having been assigned to a tariff that is in course of preparation. Request is made that, insofar as is possible, carriers will file tariffs and supplements in consecutive numerical order. If from any cause this is not done in any instance, the tariff or supplement that is filed with a number that is not consecutive with the last number filed must be accompanied by a memorandum explaining as to the missing number or numbers.
- 2.9 Common carriers and agents are directed, in filing schedules in compliance with the statute, to transmit two copies of each tariff, supplement, classification, or other schedule of rates or regulations, for the use of the Commission, both copies to be included in one package and under one letter of transmittal.
- 2.10 Tariffs sent for filing must be addressed to:

Public Utilities Commission
of the State of California
State Building
Civic Center
San Francisco, California 94102

Rule 3 - TARIFF UNIFORMITY

- 3.1 All tariffs must conform to all of these rules. The Commission may direct the reissue of any tariff at any time.
- 3.2 All tariffs must be printed on hard calendered paper of good quality from type of size not less than 6-point, full-face. Stereotype, planograph, mimeograph or other printing-press process may be used, PROVIDED TARIFFS ISSUED BY SUCH PROCESS ARE CLEAR AND LEGIBLE. Alterations in writing or erasures must not be made in tariffs before filing. Reproduction by hectograph or similar process, typewritten sheets, or proof-sheets must not be used for posting or filing unless the previous permission of the Commission has been secured therefor.

- 3.3 All tariffs must be in book, sheet, or pamphlet form, and of size 8 by 11 inches. Loose leaf plan may be used, so that changes can be made by reprinting and inserting a single leaf. (See Rule 11.10.)
- 3.4 All tariff publications or supplements thereto must indicate increases, decreases, and other changes made in existing rates or charges, rules or regulations, or classifications by the use of uniform symbols throughout the schedule as provided in Rule 5.12. Clear explanation of the use of the distinctive symbols must be made in the tariff.
- 3.5 Increases in rates or charges, or alterations in classifications, rules or regulations, resulting in increases in rates or charges must not be included in a tariff publication unless previously authorized by the Commission and reference must be made in connection with each increase in rates or charges to the Commission's decision or authority number.
- 3.6 When a new tariff canceling a previous tariff omits points of origin or destination or rates which were contained in such previous tariff, the new tariff shall show, in the manner prescribed in Rule 10.6, where the rate or rates will thereafter be found; and if such omissions effect increases or decreases in charges, that fact shall be shown by the use of proper symbols.

Rule 4 - TITLE PAGE

4.1 The title page of every tariff shall show:

(a) The number or numbers of tariff and the names of issuing carrier, carriers, agent or agents. Agents may omit from the title page of new joint-agency tariffs as re-issued, and supplements to such tariffs, the tariff numbers and names of agents other than the agent who actually compiles and issues the tariff, provided that the tariff numbers and names of such agents are shown on the reverse side of the title page of the tariff and supplements.

(b) The complete California intrastate application must be shown in the following form:

"This tariff is applicable on California intrastate traffic except where specifically indicated to the contrary."

This information may be shown in an internal item of a tariff.

(c) Numbers of tariffs canceled. If, however, the number of canceled tariffs is so large as to render it impractical to thus enter them on title page, they must be shown immediately following the table of contents and specific reference to such list must be entered on title page. Serial numbers of carriers may, if desired, be entered below the upper marginal line of title page.

(d) On upper left-hand corner of tariffs issued in loose-leaf form, the words: "No supplements to this tariff will be issued except for the purpose of canceling the tariff."

- (e) Whether tariff is local, joint, proportional or a combination of same, and whether class, commodity or combination of both.
- (f) The territory or points from and to which the tariff applies briefly stated.
- (g) Reference by name to the classification and exception sheets governing the tariff. The following form will be used:

"Governed, except as otherwise provided herein, by _____ classification and by exceptions thereto, and to rules circular (if any). See Item _____."

Use of the short form title page reference as provided above is on condition that complete and formal description of the governing publication(s) be made in the numbered item to which reference is made on the title page. A tariff is not governed by a classification, exceptions thereto, or rules circular, except when and to the extent stated on or in the tariff.

- (h) Date of issue and date effective. If a tariff or any portion thereof is made to expire on a specified date, the following clause must be used:

"Expires _____, unless sooner canceled, changed, or extended."

- (i) Name, title, and address of officer by whom tariff is issued.

Rule 5 - FORM AND CONTENT

5.1 Tariffs in book or pamphlet form shall contain in the order named:

- (a) Table of contents: A full and complete statement in alphabetical order, of the exact location where information under general headings, by subjects, will be found, specifying page or item numbers. If a tariff contains so small a volume of matter that its title-page or its interior arrangement plainly discloses its contents, the table of contents may be omitted.
- (b) A list, alphabetically arranged, of the correct names of all carriers participating therein. If there be not more than ten participating carriers, their names may be shown on the title page of the tariff.
- (c) Alphabetically arranged and complete index of all commodities upon which commodity rates are named, preceded by a paragraph, viz.: "Following list enumerates only such articles as are given specific rates; articles not specified will take class rates." All of the items relating to different kinds or species of the same commodity will be grouped together. For example, all items of coal under "Coal," and descriptive word or words following, as "Coal," "Coal-Anthracite," "Coal-Bituminous."

- 5.2 The index to a general commodity tariff or a combined class and commodity tariff shall also include in alphabetical order all articles upon which commodity rates are named in other tariffs applying from any point of origin to any point of destination named in the tariff, and with such entry shall be shown the number or numbers of tariffs in which such rates are found. For example, "Lime, Tariff No. 122," or "Staves, Tariff No. 1042."
- 5.3 A commodity item which refers to a list of articles taking one commodity rate need not be indexed more than once, provided reference is given to the item or the number of the issue that contains list of articles embraced in the term. For example, "Agricultural implements, as described in Item --- of this tariff," or as "described in the governing classification, No. ---," or "Packing house products, as described in --- Tariff, No. ---." When such specific reference to list of articles embraced in the term is given, the several articles so embraced need not be indexed separately.
- 5.4 A local tariff on a single commodity, or a few commodities, shall contain all of that carrier's commodity rates on such commodity or commodities applying from any point of origin to any point of destination named in the tariff, and a joint commodity tariff shall contain all of the initial carrier's commodity rates on the same commodity or commodities applying from any point of origin to any point of destination named in the tariff via the route or routes authorized by the tariff. If there be not more than ten such commodities, they may be named on the title page of the tariff.
- 5.5 If all of the commodity rates to each destination in the tariff are arranged alphabetically by commodities, and plain reference thereto is given in table of contents, further or other index of commodities may be omitted from that tariff, provided that, if the issuing carrier, or a participating carrier, has in other tariff or tariffs commodity rates applying from any point of origin to any point of destination named in the tariff, a complete list in alphabetical order by commodities of such other tariffs, together with description of character of traffic, territory or points of origin and destination, and the numbers of tariffs containing such commodity rates shall be shown in the first part of the tariff and shall be specifically referred to in the table of contents.
- 5.6 Alphabetically arranged and complete index of points from which the tariff applies and alphabetically arranged and complete index of points to which the tariff applies. When practicable, the index numbers of points and pages upon which rates will be found, or item numbers in which rates from or to such points appear, should be shown. If there be not more than twelve points of origin or twelve points of destination, they may, if practicable, be shown on title page of tariff.
- 5.7 If a tariff is arranged by groups of origin or destination, by bases or by bases numbers, the indices must show for each point the proper group, basis or basis number.

- 5.8 If points of origin or of destination are shown throughout the rate tables in continuous alphabetical order, or are shown by groups alphabetically arranged, no index of points of origin or destination will be required. But when such alphabetical arrangement in rate tables is used, the table of contents shall indicate the pages upon which points are so shown, and when arranged by groups shall give specific reference to the pages on which rates to or from points in each group will be found.
- 5.9 If a tariff is constructed so as to state rates by groups or bases, and also states specific rates to or from individual points, it shall contain an alphabetical index of such individual points and also alphabetical lists of the points in such groups, or reference to the number of issue which contains lists of such group points.
- 5.10 Traffic territorial or group description may be used to designate points to or from which rates named in the tariff apply, provided a complete list of such points arranged by traffic territories or groups is printed in the tariff or specific reference is given to the number of the issue that contains such list. In this list, the points in each traffic territorial or group description shall be arranged alphabetically, and the name or names of roads upon which such points are located must be shown; or all of the points in traffic territories or groups named in the tariff may be included in one alphabetical index, provided (1) that points of origin and points of destination are shown separately, alphabetically; (2) that the name or names of roads upon which points are located and the traffic territorial or group description in which they belong are shown opposite the several points.
- 5.11 Explanation of symbols, reference marks and abbreviations of technical terms shall be placed under title headings designated "Explanation of Abbreviations and Technical Terms" and "Explanation of Reference Marks" as the concluding matter in tariffs and supplements, except that the explanation of a symbol or reference mark used only in connection with particular items or rates shall be shown on the page on which used.
- 5.12 The following symbols shall be used, and shall only be used, for the purposes indicated:
- ◇ to denote increases.
 - ♠ to denote reductions.
 - Δ to denote changes in working which result in neither increases nor reductions in charges.
 - to denote no change in rate. (See Rule 3.4)
 - * to denote prepay stations or points.
 - + to denote intrastate application only.
 - to denote reissued matter. (See Rule 11.7)
- 5.13 List of exceptions, if any, to the classification governing the tariff which are not contained in exception sheets referred to on title page.
- 5.14 Such explanatory statement in clear and explicit terms regarding the rates and rules contained in the tariff as may be necessary to remove all doubt as to their proper application.

- 5.15 Rules and regulations which govern the tariff, the title of each rule or regulation to be shown in bold type. Under this head all of the rules, regulations, or conditions which in any way affect the rates named in the tariff shall be entered.
- 5.16 A carrier or an agent may publish, post, and file a tariff publication containing the rules and regulations which are to govern certain rate schedules and such publication may be made a part of such rate schedules by the specific reference "Governed by rules and regulations shown in ---."
- 5.17 When a tariff makes reference to another tariff, the number of such other tariff must be given, and when such tariff referred to is the publication of another carrier or an agent, the initials or name of such other carrier or the name of such agent, respectively, must be shown in connection with the number.
- 5.18 A rate schedule may in like manner refer to another schedule for the governing rules and regulations. A schedule or a publication so referred to must be on file with the Commission and be posted at every place where a schedule that refers to it is posted.
- 5.19 An explicit statement of the rates, in cents or in dollars and cents, per 100 pounds, per barrel or other package, per ton or per car, together with the names or designation of the points from and to which they apply, all arranged in a simple and systematic manner. Minimum carload weights must be specifically stated. Tariffs containing rates per ton must specify what constitutes a ton thereunder. A ton of 2,000 pounds must be specified as "net ton" or "ton of 2,000 pounds." A ton of 2,240 pounds must be specified as "gross ton," "long ton," or a "ton of 2,240 pounds." Complicated or ambiguous plans or terms must be avoided.
- 5.20 The different routes via which tariff applies may be shown, together with appropriate reference to application of rates. When a tariff specifies routing, the rates may not be applied via routes not specified. A tariff may show the routing ordinarily and customarily to be used and may provide that, if from any cause shipments are sent by carrier via other junction points but over the lines of carriers parties to the tariff, the rates will apply.
- 5.21 If a tariff contains no routing directions the joint rates shown therein are applicable between the points specified via the lines of any and all carriers that are parties to the tariff; and shipper must not be required to pay higher charges than those stated in the tariff because the carriers have not agreed upon divisions of the rates via the junction through which the shipment moves. If agent of carrier bills or sends shipment via a route or junction point that is covered by the tariff but via which no division of the rate applies, it is for the carriers to agree between themselves upon a division of the rates, and the intermediate or delivering carriers may demand from the carrier whose agent so misleads shipment their full local rates for the services which they perform.

Rule 6 - RATES ON THROUGH SHIPMENTS

6.1 The practice on part of carriers of accepting and transporting through shipments, as to which no joint rate applies, upon rates made up by combination of the rates of the several carriers participating in the movement, and of collecting as delivering carriers, the aggregate charges of the several carriers upon such shipments, and of accounting to such carriers for their several portions of such charges, is practically universal. That custom has the same binding effect as a joint rate, both as BETWEEN carriers themselves and as between carriers and shippers. Therefore, carriers may construct rates for through shipments to and from points to and from which there is no applicable joint rate, by using lawfully published and filed bases, locals or proportionals in connection with other lawfully published and filed tariffs.

Rule 7 - COMBINATION RATES

7.1 A combination through rate must be treated as a unit from the date of original shipment to the date of its arrival at destination, and the rate applied must be the combination of the rates which exists upon the date of original shipment. All the conditions, regulations, and privileges obtaining as to any factor in such combination rate for through shipment at the time of original shipment upon such combination through rate must be adhered to and can not be varied as to that shipment during the period of transportation of such shipment to its final destination. A local or proportional rate "in" can not be absorbed, diminished, or affected by any "out" rate not in effect at the time the traffic moved upon such local or proportional rate.

Rule 8 - USE SPECIFIC TERMS

8.1 The term "common points," or similar term, shall not be used in any tariff for the purpose of indicating the points from or to which rates named therein apply, unless a full list of such points is printed in the tariff or specific reference is given to the number of the issue that contains such list.

8.2 The terms "grain products," "forest products," "petroleum and its products," "cottonseed products," or similar terms, must not be used in any tariff for the purpose of indicating the articles to which the rates apply, unless a full list of the articles intended to be included in and covered by such terms is printed in the tariff or specific reference is given to number of issue that contains such list.

8.3 Commodity rates must be specific and must not be applied to analogous articles.

Rule 9 - CLASS VS. COMMODITY RATES

9.1 Each tariff that contains class or commodity rates shall also contain a rule as follows:

"Whenever a class rate and a commodity rate are named between specified points, the lower of such rates is the lawful rate unless some combination of class rates, or of commodity rates, or of class and commodity rates, makes a lower through rate."

9.2 In case some combination of rates makes a lower rate than the published through rate such published through rate must immediately be reduced to correspond to the sum of such rates.

9.3 Such change may be made by posting and filing with the Commission one day in advance a supplement to or a reissue of the tariff in which the rates so reduced appear, which supplement or reissue shall show the reduced rate and bear notation that it is effective on less than statutory notice under authority of this rule.

9.4 If the supplement issued under authority of this rule contains only the reduced through rate or rates, it will not be counted against the number of supplements permitted to such tariff under Rule 11.8, but the rate or rates shown therein must be included in the next regular supplement and the special supplement canceled thereby.

9.5 Class rates or commodity rates may be made for specified mixed shipments and will be the lawful rates for such mixtures, except where a lower charge will result by the application of the carload class or commodity rate on any article contained in the car and less carload rate on the other articles in the car, provided the articles on which less carload rates are applied are packed in accordance with classification covering such articles in less carload quantities.

Rule 10 - CANCELLATIONS

10.1 If a tariff or supplement to a tariff is issued which conflicts with a part of another tariff or supplement to the same or another tariff which is in force at the time, and which is not thereby canceled in full, it shall specifically state the portion of such other tariff or such other supplement which is thereby canceled, and such other tariff shall at the same time be correspondingly amended, effective on the same date, in the regular way. Such reissue or supplement must state where rates will thereafter be found and must be filed at the same time and in connection with the tariff which contains the new rates. It will not be necessary to show on a commodity tariff or supplement, reference to class rate tariffs that may be affected, nor to give on class rate tariffs or supplements reference to commodity tariffs.

- 10.2 An agent who acts under power of attorney is fully authorized to act for the carriers that have named him their agent and attorney, and, therefore, it is permissible for him to cancel by his tariffs issues of such principals.
- 10.3 A carrier may not by its individual tariff cancel, amend or modify a tariff filed by a duly authorized agent, except when corresponding amendment to such agent's tariff is filed at the same time and as per Rule 10.1.
- 10.4 A concurrence does not confer authority upon either carrier or agent to cancel tariffs of concurring carrier, and, therefore, tariffs issued under concurrences may not assume to cancel, or carry notation of cancellation of tariffs of and issued by concurring carriers. Such cancellations must be made by the carrier that issued the tariff that is to be canceled.
- 10.5 If a tariff is canceled with the purpose of canceling entirely the rates named therein, or when, through error or omission, a later issue failed to cancel the previous issue and a tariff is canceled for the purpose of perfecting the records, the cancellation notice must not be given a new number, but must be issued as a supplement to the tariff which it cancels, even though the tariff may at the time have the full number of supplements permitted by Rule 11.8.
- 10.6 When a tariff or rate is canceled, the cancellation notice must show where rate or rates will thereafter be found or what rate or rates will thereafter apply. For example: "Rate in --- No.---, will apply," or "Class rates will apply," or "Combination rate will apply," or "No rates in effect."
(See Rule 3.6)
- 10.7 If a tariff is canceled with the purpose of applying in lieu thereof the rates shown in some other tariff, the cancellation notice shall make specific reference to the number of the tariff in which the rates will thereafter be found. Cancellation of a tariff also cancels supplements to such tariff, if any in effect. If a tariff is canceled by the issuance of a similar tariff to take its place, cancellation notice must not be given by supplement, but by notice printed in the new tariff.
- 10.8 When portions of a tariff (excepting a tariff in loose-leaf form), or of a supplement to a tariff, are designated as items, they must be given numbers and the cancellation of an item by supplement must be made by bringing forward the item number with a capital letter suffix in alphabetical sequence. For example, if Item 445 is to be canceled, it shall be done by one of the following methods:
- (a) State the numbers of both the canceling and the canceled item; for example: "Item 445-A cancels Item 445;" or
 - (b) Bring forward the item number with letter suffix; for example: "Item 445-A," "Item 445-B." When cancellation under this method is used the following provision is to be published in the general rules section of the tariff proper:

C. _____ - ● *

Method of Canceling Items

As this tariff is supplemented, numbered items with letter suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 445-A cancels Item 445, and Item 365-B cancels Item 365-A in a prior supplement, which in turn canceled Item 365.

- 10.9 If a canceled item or any part thereof is taken up and thereafter carried in another item of different number, the cancellation must be carried under the original item number and must show in what item or items the effective rates are to be found, and the cancellation of the item in the original tariff or supplement must be brought forward in successive supplements as a reissued item as long as the cancellation is in force.

Rule 11 - AMENDMENTS AND SUPPLEMENTS

- 11.1 A change in or addition to a tariff shall be known as an amendment, and, excepting amendments to tariffs issued in loose-leaf form, shall be printed in a supplement to the tariff and shall refer to the page or item or items of the tariff, or of the previous supplement, which it amends.
- 11.2 When an amendment is made in a numbered item or other unit, such item or other unit must be published in a supplement in its entirety as amended, except that additions, changes, or eliminations in a numbered item or other unit consisting of a list of commodities or a list of stations comprising 10 lines or more (measured along the left margin), may be made without publishing such items or units as amended in their entirety, provided that only one such partial amendment of any such item or unit may be in effect at any one time. The items in each supplement shall be arranged in the same general order as the tariff which it amends. (For supplements to and reissues of tank-line gauge books and equipment registers, see Rule 15.5.)
- 11.3 An amended item must always be printed in a supplement in its entirety as amended, and the items in each supplement shall be arranged in the same general order as the tariff which it amends. (For supplements to and reissues of tank-line gauge books and equipment registers, see Rule 15.5.)
- 11.4 When a participating carrier is eliminated by supplement or by a revised page of a loose-leaf tariff, the tariff must be amended on the same effective date to provide for the cancellation of rates and other provisions in connection with that carrier. This may be done either by appropriate amendment of the individual items or provisions, or by a notation immediately following the statement that the carrier has been eliminated, reading:

"This has the effect of canceling all rates and other provisions published in connection with this carrier in this tariff."

(a) When the notation method is used in a supplement, the notation must be brought forward as reissued matter, together with reference to the supplement in which the change first appeared.

(b) When the notation method is used in loose-leaf tariffs, subsequent revised pages containing the list of participating carriers must bear reference to such elimination so long as the name of the eliminated carrier appears elsewhere in the tariff, the reference to be shown in the following manner:

"(Show name of carrier here) eliminated as a participating carrier in this tariff and all rates and other provisions published in connection with that carrier canceled effective _____. See _____ Revised Page _____."

11.5 Supplements to a tariff filed only with this Commission shall be numbered consecutively as supplements to that tariff. Each supplement shall specify the supplement or supplements which it cancels, and shall also show on its title page what supplements contain all changes from the original tariff that are in effect. For example: "Supplement No. ____" "Cancels Supplements Nos. ____ and ____." "Supplements Nos. ____ and ____ contain all changes from the original tariff that are effective on the date hereof." The term "cancels conflicting portions" must not be used. A purely intrastate supplement to a tariff filed with this Commission and with the Interstate Commerce Commission may be assigned the number of the last interstate supplement with the capital letters of the alphabet (used consecutively) added, such as "23-A", except that if any intrastate supplements are issued prior to Supplement No. 1, such intrastate supplements will be identified with capital letters of the alphabet used consecutively, such as "A", "B", etc.

11.6 A tariff which contains reissued items brought forward from a previous issue which has not been in effect thirty days must bear the notation: "Effective _____, 19____, except as noted in individual items."

11.7 Reissued items brought forward without change from a prior supplement shall be shown in the following manner:

(with number enclosed) Reissued from supplement bearing the number enclosed within the square. See Item ____.
Here insert number of item, referred to below, explaining the method of denoting reissued matter in supplements.

provided that the general rules section of the tariff shall contain an item (the number of which will be inserted in the above-referred to explanation of reference marks denoting matter reissued from a prior supplement) reading as follows:

Method of Denoting Reissued Matter in Supplements

Matter brought forward without change from one supplement to another will be designated as "Reissued" by a reference mark in the form of a square enclosing a number, the number being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine its original effective date, consult the supplement in which the reissued matter first became effective.

11.8 Except as authorized in Rules 9.4, 10.5, 11.13, 12.3, 13.1(e), 13.5 and 15.6, the following is the maximum number of effective supplements permitted to any tariff:

4 pages or less -----	No supplements
5 to 16 pages, inclusive -----	1 supplement
17 to 80 pages, inclusive -----	2 supplements
81 to 200 pages, inclusive -----	3 supplements
201 pages or more -----	4 supplements

In addition to the above, tariffs of 17 pages or more may have one additional supplement not exceeding 4 pages. Two purely intrastate supplements may be issued in addition to the number of regular permitted supplements in connection with tariffs having both intrastate and interstate application.

11.9 Tariffs having 5 or more pages may have supplemental matter aggregating not more than 50 percent of the total number of pages in the tariff, except that if the number of pages in the supplement which brings the volume up to that authorized by this rule is not evenly divisible by 4, it may exceed the volume authorized to the extent necessary to bring the number of pages of such supplement to the next multiple of 4. The concluding page or pages of supplements on which appear only explanations of abbreviations and reference marks shall not be counted in applying this paragraph.

11.10 All changes in and additions to tariffs issued in loose-leaf form must be made by reprinting both pages of the leaf upon which change is made. Changes or additions must be indicated as provided in Rule 3.4, and when no change or addition is made in one of the pages reprinted it must bear notation "No change in this page." Such pages must not be given supplement numbers, but must be designated "First Revised Page ____," "Second Revised page ____," etc., must show the issued and effective dates, and the name, title and address of officer by whom issued.

11.11 A supplement of five or more pages must have an index of the matter which it contains, and a supplement of more than 23 pages must also contain a table of contents.

11.12 If a tariff is filed on statutory notice canceling another tariff and after such filing and prior to the effective date of such new tariff a supplement to the tariff to be so canceled should be lawfully issued, rates in that supplement could not continue in effect for the thirty days required by law because the cancellation of the tariff also cancels supplements to it. In such a case supplements containing changes not included in the tariff that is to become effective may be issued as supplements both to the tariff in effect and to the tariff on file that will effect such cancellation, and be given both tariff numbers. In other words, such issue must be a supplement to each of the tariffs, and copies must be filed accordingly. A supplement issued under this rule containing reissued items shall note in connection with each of such items, in addition to the date effective as required by the rule, that the reissued items expire on the date at which the new tariff becomes effective, and that the new tariff will apply in lieu thereof; and such reissued items must not be brought forward in subsequent supplements to the new tariff. Such supplement may not contain any changes except those lawfully made by supplement to the tariff which is to be canceled by the tariff that has been filed and that is also so supplemented; and no other kind of supplement to a tariff that is on file and not yet effective may be made effective within thirty days from the effective date of the tariff without special permission.

11.13 The provisions of Rule 11.8 as to the number of supplements to a tariff that may be in effect at any time, and the volume of supplemental matter they may contain must be observed in connection with a supplement issued under this paragraph, as to the new tariff only.

Rule 12 - ADOPTION OF TARIFFS

12.1 When ownership or control of a carrier is transferred from the operating control of one company to that of another, the succeeding carrier shall issue an adoption notice in the form of a one-page document, 8 by 11 inches in size, in which the successor company accepts and establishes as its own all the affected tariffs and other instruments issued by or on behalf of the predecessor company in accordance with the Commission order authorizing the transfer of such ownership or control. Two copies of the adoption notice shall be filed with the Commission.

12.2 Concurrently with the filing of an adoption notice with the Commission, a copy of the adoption notice shall be furnished to each agent and each carrier publishing tariffs containing rates or other provisions in which the predecessor carrier participates.

12.3 In addition to the adoption notice required by Rule 12.1, the successor carrier shall supplement or reissue each tariff issued by the predecessor company, indicating that the tariff has been adopted by the successor company, such tariff filing to be made in accordance with the Commission order authorizing the transfer. Such supplements will not be counted against

the number of supplements permitted to such tariffs under Rule 11.8. Amendments to such tariffs must thereafter be filed in consecutively numbered supplements thereto until the tariffs are reissued. New tariffs reissuing or superseding these shall be numbered in the series of the new carrier.

- 12.4 When a carrier changes its legal or fictitious name, without transfer of control from one company to another, it shall immediately amend tariffs issued by it to show the new name of the company. The carrier shall also immediately inform, in writing, all agents or other carriers issuing tariffs in which it participates of the change in name, and such agents or carriers shall promptly amend such tariffs to show the change in name. The tariff amendments shall show the new name of the carrier and its former name, for example, "ABC Railroad Co. (formerly XYZ Railroad Co.)", and shall show that they are filed under authority of this rule.

Rule 13 - SUSPENSIONS

- 13.1 When the Commission, under authority of Section 455 of the Public Utilities Act, suspends the operation and defers the use of a tariff or classification, rate, charge, regulation or practice, the following course shall be pursued by carriers:
- (a) Upon receipt of order of suspension of any publication in its entirety, the carrier or agent publishing and filing such schedule shall immediately file with the Commission a supplement stating that such schedule is under suspension and may not be used until further and proper notice, or until such specified date as the suspension order of the Commission may name, and that rates theretofore in effect and which were to be changed by the suspended publication will remain in effect. Such supplement shall state by number or numbers of the tariff or tariffs in which rates, classifications, charges or regulations so restored will be found.
 - (b) Upon receipt of order of suspension of parts of a publication which, except as to such parts, is allowed to become effective, the carrier or agent publishing and filing such schedule shall IMMEDIATELY file with the Commission a supplement containing copy of the Commission's order of suspension and stating that the part or parts of such schedule specified in the order are under suspension and may not be applied or charged until further notice, or until such specified date as the suspension order of the Commission may name. Such supplement shall also give reference by number or numbers to the tariff or tariffs in which the rates, classifications, charges or regulations applicable during the period of suspension will be found.
 - (c) The title page of every suspension supplement issued under authority of this rule must bear date of issue, but no effective date, inasmuch as the suspension is effective from the date of filing and serving the Commission's suspension order.

- (d) When the Commission vacates an order of suspension effective on a date earlier than the date to which suspended, the carrier or agent who filed the suspended tariff, supplement, or revised page may file with the Commission on not less than one day's notice, unless otherwise provided in the order, a supplement stating the date upon which, under authority of the vacating order, the tariff, supplement, revised page, item, rate, or provision will become effective.
- (e) Such supplements will not be counted against the number of supplements permitted to such tariff under Rule 11.8.
- (f) Every supplement issued under this Rule must be forthwith posted in every depot, station, office, or other place where the schedule affected by the order of suspension or vacation is posted, and should be given the same general distribution.

13.2 As an assistance in taking care of the ordinary changes in rates which may be necessary during the period of suspension of an entire tariff, the tariff remaining in effect as a result of such suspension may be further amended without regard to the Commission's rule as to the volume of supplemental matter which the effective supplements in the aggregate may contain, but the Commission's rule prohibiting the supplementing of tariffs of less than five pages must be observed. Desired changes in tariffs of less than five pages must be made by reissue. If the suspended tariff subsequently becomes effective such tariffs as may be reissued during the period of suspension should be canceled in the regular way.

13.3 No change may be made in a tariff or supplement which has been suspended in its entirety, except by special permission of the Commission. (See Rule 13.4)

13.4 Carriers and their tariff publishing agents may, in lieu of compliance with Rule 13.3, depart therefrom to the extent necessary to observe the following procedures:

If the responsible carrier or publishing agent has elected to file a supplement deferring the suspended matter only for the period prescribed by the Commission's order, and if prior to the expiration of that order the Commission formally or informally requests that a further deferment be made, the carrier or publishing agent may, on the authority of this rule, issue a supplement effecting such further deferment. Also, after the expiration of the period prescribed by the Commission's order, the carrier or publishing agent may, when requested by the Commission and on the authority of this rule, issue a supplement further postponing the effective date of the suspended matter. Supplements issued should be filed on statutory notice if practicable and otherwise on shorter notice, but the notice shall be as long as time will reasonably permit and in no event less than one day. Where the effectiveness of matter originally

suspended by the Commission has been voluntarily postponed, beyond the term of the Commission's order, no change may be made during the period of such voluntary postponement in the tariff matter which was originally held in force by the Commission's suspension order, except by order or special permission of the Commission.

13.5 When the Commission suspends an entire supplement to a tariff, or portions of a bound tariff or of a supplement to a tariff, a supplement containing suspended matter will not be counted against the number of effective supplements, or the volume of supplemental matter permitted to such tariff under Rule 11.8 provided all matter in such supplement, except the suspended portions thereof, are reissued in or specifically canceled by a subsequent supplement. When a tariff any portion of which is under suspension is canceled, the new tariff may either:

- (a) Cancel the previous tariff "except portions under suspension in Case No. _____, viz. (identifying the suspended portion by item and page number)," or
- (b) Cancel the previous tariff entirely and bring forward without change the matter held in force by the order of suspension, followed immediately by the matter under suspension. The matter held in force by the order of suspension must be identified as such and shown as expiring with the date to which the suspended matter has been postponed. The suspended matter immediately following must likewise be identified as such and shown as effective on the day following the expiration of the matter held in force by the order of suspension. When the effective date of suspended matter has been indefinitely deferred the new tariff must state that fact by appropriate language.

13.6 When a supplement which is suspended in part is reissued, such reissue shall cancel the supplement containing the suspended matter except portions under suspension in Case No. _____.

Rule 14 - TERMINAL AND SERVICE CHARGES AND ALLOWANCES

14.1 Each carrier shall publish with proper numbers, post, and file separate tariffs which shall contain in clear, plain, and specific form and terms all the terminal charges and all allowances, such as arbitraries, switching, icing, storage, elevation, diversion, reconsignment, transit privileges, and car service, together with all other privileges, charges, and rules, which in any way increase or decrease the amount to be paid on any shipment as stated in the tariff which contains the rate applicable to such shipment, or which increase or decrease the value of the service to the shipper. Such tariffs must stipulate clearly the extent of such privileges and the charges connected therewith, and shall also state whether or not the rate published by the initial carrier from the point of origin to ultimate destination will apply. If the through rate does apply it must be as of the date of shipment from the point of origin.

- 14.2 If such privilege is granted or charge is made in connection with the rate under which the shipment moves from point of origin, the initial carrier's tariff which contains such rate must also show the privilege or the charge or must state that shipments thereunder are entitled to such privileges and subject to such charges according to the tariffs of the carriers granting the privileges or performing the services, as "lawfully on file with the Public Utilities Commission of the State of California."
- 14.3 If a joint rate applies to or from a point on a terminal or switching road, and such terminal or switching road receives a division of said rate which is not absorbed by a connecting carrier, the terminal or switching road must publish, post, and file, or concur in and post, the tariff containing the joint rate.
- 14.4 If a switching or terminal road's charges are to be added to the tariff charges of a connecting carrier, the tariff of such connecting carrier naming such rates to or from the point at which such terminal or switching road is located must clearly state that shipments thereunder are subject to additional charges for terminal service in accordance with the current tariffs of terminal or switching road as "lawfully on file with the Public Utilities Commission of the State of California."
- 14.5 If part or all of the charges of a terminal or switching road are to be absorbed by a connecting road, the tariff of such connecting road must specify that its rate includes originating or delivery services by the terminal or switching road, and that the connecting road will absorb the charges of such terminal or switching road in a specified sum, or as per the current tariffs of the terminal or switching road (naming it) as "lawfully on file with the Public Utilities Commission of the State of California."
- 14.6 When connecting carriers other than terminal or switching roads switch for each other and absorb part or all of each other's charges, their switching charges must be shown in lawfully filed and posted tariffs, and their tariffs must also state the circumstances under which, and the instances in which, they will absorb other carrier's switching charges, and must specify that such absorption will be in a stated sum per 100 pounds, per ton or per car, or as per tariffs "lawfully on file with the Public Utilities Commission of the State of California."

Rule 15 - LISTS OF DISTANCES, POINTS, STATIONS AND EQUIPMENT

- 15.1 Every carrier that uses a distance tariff must incorporate therein an official list of all the points in connection with which the tariff may apply, showing in proper arrangement the distances between them; or must give therein reference by number to the issue that contains such list.
- 15.2 A carrier or its agent may issue a numbered tariff publication containing an official list of its points and may show therein distances, prepay points, billing instructions

to points not on line of road and similar information. If such publication contains no rates, rules or regulations which of themselves or in connection with a tariff which refers to it affect the charges on any shipment, supplements to and reissues of it may be made effective on one day's notice to the public and to the Commission. The addition of newly established stations on existing lines, including re-established stations previously abandoned, may be included in such reissue or supplement, but effective only upon two days' notice to the public and to the Commission. Each such supplement or reissue must bear on its title page the notation that it is issued under authority of this rule.

- 15.3 Changes in numbers assigned to stations, distances, withdrawal of stations, may also be included in such reissue or supplement, but effective only upon statutory notice.
- 15.4 When any such change is made in a supplement to or reissue of such publication each such change shall be specifically noted as effective on a date which gives full statutory notice, and title page of such supplement or reissue shall bear notation: "Effective (date), except that changes in station numbers, distances, additions of new stations on old lines, and withdrawal of stations are effective (date) as shown in the items which contain such changes." No supplement to or reissue of such publication, whether issued under authority of this rule or on statutory notice, or under special permission, may contain notice of any change effective prior to the effective date of the supplement or reissue. If, however, such publication contains any rate or any rule or regulation that can affect the charges upon any shipment, no change in the publication may be made except upon statutory notice or by special permission for shorter time.
- 15.5 A tariff publication confined to information and regulations governing the use of tank cars or to information as to numbers, dimensions, capacities, of freight cars may be issued, and, except as hereinafter specified, may be supplemented or reissued only on statutory notice or under special permission. Supplements or reissues to such publication which contain no changes except additions of cars not before listed, substitution of new cars for old cars, changes in ownership of cars, and corrections in marked capacities or dimensions of cars already listed may be issued and made effective upon one day's notice to the Commission and to the public.
- 15.6 In connection with this rule, regulations as to the number of supplements to a publication and the volume of supplemental matter that may be contained therein (Rule 11.8) must be observed; and when changes are made on short notice hereunder and are incorporated in supplement with other matter brought forward from previous supplement, such other matter must be plainly noted as reissued from a former supplement (see Rules 11.6 and 11.7), and no changes except those above specified may be included.

Rule 16 - INDEX OF TARIFFS

- 16.1 Each carrier shall publish, post and file a complete index of tariffs which are in effect and to which it is a party either as an initial or a delivering carrier. Such index shall be prepared in sections, as follows, and shall show: (a) carrier's own number; (b) index number; (c) initials of issuing road or agent; (d) issuing road or agent's number; (e) character of tariff or description of the articles upon which it applies; (f) where tariff applies from; (g) where tariff applies to:

(NOTE - Items (a), (b) and (c) may be omitted. Items (e), (f), and (g) will be stated in concise general terms.)

- (1) First section. A list of all the tariffs as to which the carrier is an initial carrier. Commodity tariffs to be entered alphabetically under names of commodities or principal commodities. Tariffs applying to different groups of the same commodity must be grouped together; for example: "Lumber - hardwood"; "Lumber - yellow pine." Following the specific commodity tariffs will be entered the general commodity tariffs, the class and commodity tariffs, and the class tariffs. Under each of these headings, the application of the tariffs will be described by alphabetical arrangement of the points or territory from or to which they apply, in either the "From" or "To" column.

Under the heading of "Miscellaneous Schedules" will follow list of schedules, such as billing, books, classifications, exception sheets, switching tariffs, terminal charges, etc., each entered in alphabetical order.

- (2) Second section. List of all tariffs under which the carrier is a delivering carrier arranged alphabetically by names of issuing carriers or agents, with the items arranged by commodities and classes under each of such carriers or agents, as prescribed for the first section. If carrier so desires, lists of tariffs under which it is an intermediate carrier may be included in this section, provided those tariffs under which it is a delivering carrier or an intermediate carrier or both are indicated.
- (3) Third section. A complete list of the numbers of tariffs in the carrier's or agent's own series arranged in numerical order.

Lists of the carriers' interstate tariffs, division sheets, official circulars, and as other issues may appear in this publication. In connection with interstate tariffs, a reference mark must be used with explanation: "Rates in this tariff do not apply to intrastate shipments." Tariff covering specific circus movements and supplements to tariffs need not be included in indices.

16.2 If any changes are made, the index must be revised to date, either by reissue each month or by supplement quarterly and reissue biennially. If supplements are used they must be numbered consecutively, must be constructed in accordance with specifications as to construction of index, and show additions, changes, and cancellations made in index or canceled supplement thereto.

16.3 Each index must bear on its title page notations, as follows: "This index contains lists of tariff publications in effect on (date of issue of index)"; to which may be added, "or which have been filed to become effective at a later date as shown within." If supplements to index will not be used, "No supplement to this index will be issued"; if supplements will be used, "This index will be reissued on or before _____, 19__, and supplements will be issued each quarter in which change is made."

16.4 Each supplement to the index must bear on title page the notation "Supplements Nos. ____ and ____ contain corrections to and as in effect on (date of issue of supplement)"; to which may be added, "or which have been filed to become effective at a later date as shown within."

(NOTE - As to indexes now on file which bear notation as to the number of supplements that may be issued thereto and which do not bear notation that they will be reissued on or before a specified date, the rule heretofore in effect as to supplements must be continued. Such indexes may be brought within the provisions of the above rule as to supplements by reissue. A specified date for reissue stated on an index now on file must be observed.)

16.5 The title page of index or of supplement must show the date of issue thereof, which must correspond to date shown in notations above and must not bear an effective date. The rule requiring thirty days' notice does not apply to these indexes and their supplements.

Rule 17 - STATUTORY NOTICE REQUIRED

17.1 The Public Utilities Act requires that all changes in rates, or in rules that affect rates, shall be filed with the Commission at least thirty days before the date upon which they are to become effective. It is impracticable for the Commission to check the items in tariffs to determine whether or not the statutory notice has been given. The title page of every tariff or supplement must show full thirty days' notice, unless otherwise authorized.

17.2 No tariff or supplement will be accepted for filing unless it is delivered to the Commission, free from all charges or claims for postage, the full thirty days required by law before the date upon which such tariff or supplement is stated to be effective. No consideration will be given to or for the time during which a tariff or supplement may be held by an express company for charges or by the Post Office Department because of insufficient postage. A tariff or supplement that is received by the Commission too late to give the Commission the full thirty days' notice required

by law will be returned to sender, and correction of the neglect or omission can not be made which takes into account any time elapsing between the date upon which such tariff or supplement was received, and the date of attempted correction. In other words, when a tariff or a supplement is issued and as to which the Commission is not given the statutory notice it is as if it had not been issued, and full statutory notice must be given of any reissue thereof. No consideration will be given to telegraphic notices in computing the thirty days' notice required. For tariffs and supplements issued on short notice under special permission of the Commission full thirty days' notice is not required, but literal compliance with the requirements for notice named in any permission granted by the Commission will be exacted and in accord with the policy and practice above outlined.

- 17.3 Circulars announcing or explaining the attitude and course of carriers under injunction of a court, relating to tariff rates or regulations, must not be issued as supplements to tariffs nor given tariff numbers unless they are issued on statutory notice or under special permission from the Commission for shorter time. The Commission will, however, be pleased to have copies of such circulars and the information therein contained.

Rule 18 - TARIFFS TO COMPLY WITH COMMISSION'S DECISIONS AND ORDERS

- 18.1 Rates prescribed by the Commission in its decisions and orders after hearing upon formal complaints shall, in every instance, be promulgated by the carriers against which such orders are entered in duly published, filed, and posted tariffs, or supplements to tariffs, and notice shall be sent to the Commission that its order in Case No. _____ has been complied with in Item _____, Page _____ of Tariff No. _____, or Supplement _____ to Tariff No. _____.
- 18.2 In establishing rates or regulations under an order of the Commission in a formal case, carrier or carriers that are actually and on the record parties to the case, or that are lawful parties to a joint tariff in which the rate or regulation that is prescribed is published by some carrier that is party to the case, may include in the change or changes made in compliance with the Commission's order commodity or commodities that are grouped with that or those which are specified in the order; and may also include adjustment at other points in order to preserve established grouping or relation of points, and may also include adjustment of rates to same points on other commodities for the purpose of maintaining established relation of rates between commodities: Provided, all such changes made by authority of this rule shall be effected by reductions in rates or charges.
- 18.3 If carrier that is not a party to the case or to the joint tariff desires to make on less than statutory notice the same changes that are made under the order by carrier that is party to the same, it must secure special permission so to do.

18.4 Unless otherwise specified in the order in the case, such tariff or supplement may be made effective upon five days' notice to the Commission and to the public, and if made effective on less than statutory notice, either under this rule or under special authority granted in the order in the case, shall bear on its title page this notation: "In compliance with order of the Public Utilities Commission of the State of California in Case No. _____."

18.5 If the order of the Commission affects any individual item or items in a tariff, the above notation shall be shown in connection with said item or items only upon initial publication of the required or authorized adjustment.

Rule 19 - REJECTION OF TARIFFS

19.1 When a schedule is rejected by the Commission as unlawful, the records so show and, therefore, such schedule should not thereafter be referred to as canceled, amended, or otherwise, except to note on the publication that is issued in lieu of such rejected schedule "In lieu of _____ rejected by Commission"; nor should the number which it bears be again used.

Rule 20 - FILING OF FREIGHT CLASSIFICATION AND EXCEPTIONS THERETO

20.1 A carrier may grant to a joint agent authority to publish and file for it classification and supplements thereto and exceptions to the classification; or, such exceptions may be published by the carrier in its own issues, either as parts of individual tariffs or in a publication that is given a tariff number, that is filed and posted as required, and that is devoted to such exceptions. (See Rule 4.1(g)) Such exceptions and changes therein may be made only on statutory notice or under special permission for shorter time.

20.2 Insofar as is reasonably practicable, exceptions should be included in the tariff which they affect.

20.3 A joint agent to whom carriers have extended authority under power of attorney to publish and file classification and supplements thereto must issue them under his own numbers, and must show in the classification a list of the carriers for which he acts under power of attorney, and must file the classification and supplements thereto on behalf of all of the carriers that have so authorized him to act for them; and such carriers will not file the classification or supplements thereto for themselves. The provisions of the law as to statutory notice must be observed in the issuance of supplements or reissue of the classification.

20.4 In showing the list of participating carriers in supplements, the rule prescribed in Rule 11.4 will be followed.

20.5 If a carrier fails to authorize an agent to file the classification for it and undertakes to file it for itself, it is bound by the terms of the law as to notice of change and date of filing, both as to the classification and each supplement thereto.

20.6 If a carrier has given another carrier concurrence under which it concurs in the classification which that other carrier or its agent may make and file, the carrier to which that concurrence is given may exercise the authority by its lawfully appointed agent, and the carrier which gave the authority be shown in the publication as a participant.

Rule 21 - APPOINTMENT OF AGENT TO PUBLISH AND FILE TARIFFS

21.1 (See also Rule 22.1). Authority to an agent to file for the carrier may be given to corporations, unincorporated bureaus or associations to act as tariff publishing and filing agents, provided that each corporation, unincorporated bureau or association shall file copies of:

- (a) its articles of incorporation or association or other form of agreement.
- (b) the Interstate Commerce Commission order approving said articles or agreements as may be required under Part I, Section 5(a) of the Interstate Commerce Act.
- (c) a notice of the name of the individual who shall be designated and shown in the tariffs as the "Tariff Publishing Officer" and who is responsible for the actual compilation and filing of each series of tariffs issued by the agent corporation, bureau or association. Only one such officer shall be designated for each series of tariffs issued by the agent.
- (d) a notice of the name of the successor to such officer when replacement occurs.

Rule 22 - CERTIFICATE FORM OF CONCURRENCES OR POWERS OF ATTORNEY

22.1 Each carrier shall file with the Commission concurrences and powers of attorney by means of a single consecutively numbered certificate in the form specifically shown below:

To the Public Utilities Commission Certificate No. _____
of the State of California Cancels
State Building, Civic Center Certificate No. _____
San Francisco, California 94102
(Date _____)

This is to certify that the undersigned assents to and concurs in the publication and filing of tariffs, rates, classifications or charges which the following agents and carriers, or any of them, have made or may make or file with the Public Utilities Commission of the State of California, and in which it is shown as a participating carrier and hereby makes itself a party to and bound thereby, insofar as such tariffs, rates, classifications or charges apply via its lines, and to and from points thereon, until this authority is revoked or changed by formal and official notices of revocation or change placed in the hands of the Public Utilities Commission of the State of California and of the agents and carriers, or any of them, to which this concurrence is given:

(Here list all parties to whom the concurrence or power of attorney is given.)

(Name of carrier)

By _____
(Name of Officer)

(Title of Officer)

Rule 23 - TRANSPORTATION OF CIRCUS OUTFITS

23.1 Carrier may establish rates for the transportation of circus and other show outfits by tariffs filed with the Commission to become effective one day after such filing. Such tariffs may consist of a proper title page reading "As per copy of contract attached," and to it may be attached a copy of the contract under which the circus is moved, and which contract shall contain a general statement of the number of cars and character of the paraphernalia of the circus or show outfit and the rates and

regulations applying to the transportation thereof. Every such tariff must bear notation on its title page that it is issued under authority of this rule. As far as practicable, tariffs establishing general rates and regulations governing the transportation of circus and other show outfits should be regularly published and filed.

Rule 24 - NEWLY CONSTRUCTED LINES

24.1 On newly constructed lines of road, including branches and extensions of existing roads, local rates and fares, and also joint rates and fares, may be established in the first instance to and from points on such new lines by posting tariffs of such rates or fares issued by the carrier owning or operating such newly constructed lines or by joint agent acting for it under power of attorney in form prescribed, and filing the same with the Commission one day in advance. Such tariff must bear notation that it applies to or from points on newly constructed lines to or from which no rates or fares from same points of origin or to same points of destination have applied, and give reference to this rule. Tariffs or supplements to tariffs issued by other carriers establishing rates to or from or via such newly constructed line may be issued only upon statutory notice or special permission for shorter time. It will be the Commission's policy to grant such reasonable permissions as are necessary to give carriers and shippers fullest efficiency of such new lines.

Rule 25 - FORM OF LETTER OF TRANSMITTAL

25.1 All tariffs that are filed with the Commission shall be accompanied by a letter of transmittal, on paper 8 x 11 inches in size, and shall be in form substantially as follows:

(Name of carrier)

_____ DEPARTMENT,

_____,
(Place)

_____,
(Date)

ADVICE NO. _____

To the Public Utilities Commission of the
State of California
State Building, Civic Center
San Francisco, California 94102

Accompanying schedule is sent you for filing in compliance with the requirements of the Public Utilities Act, issued by _____, bearing Tariff No. _____.
Supp. No. ____ to Tariff No. _____,
Effective _____, 19____,
and is concurred in by all carriers named therein as participants.

(Signature of filing agent)

A separate letter may accompany each schedule, or the form may be modified to provide for filing under one letter as many schedules as can be conveniently entered.

NOTE: If receipt for accompanying schedule is desired, the letter of transmittal must be sent in duplicate, and one copy will be stamped and returned as receipt.

This order shall become effective August 1, 1965.

Approved and dated at Los Angeles, California,
this 18th day of May, 1965.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Noel Coleman, Assistant Secretary