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Decision No. 69651

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
into the rates, rules and regula-)
tions, charges, allowances and)
practices of all common carriers,)
highway carriers and city carriers)
relating to the transportation of)
any and all commodities between)
and within all points and places)
in the State of California)
(including, but not limited to,)
transportation for which rates)
are provided in Minimum Rate)
Tariff No. 2).

Case No. 5432
Petition for Modification
No. 371

AND RELATED MATTERS

Case No. 5433
Petition for Modification No. 20
Case No. 5438
Petition for Modification No. 49
Case No. 5440
Petition for Modification No. 24
Case No. 5604
Petition for Modification No. 14
Case No. 7857
Petition for Modification No. 4

SUPPLEMENTAL OPINION AND ORDER

Decision No. 69455 in these proceedings amended the split pickup and split delivery rules of the minimum rate tariffs containing mileage rates.^{1/}

By Petition for Reconsideration and Modification, filed August 9, 1965, in these proceedings, California Trucking Association (CTA) requests that the revised split pickup and split delivery rules established by Decision No. 69455 be further amended to correct certain deficiencies in the language thereof; that such modifications be made concurrently with the effective date of the 1/ Minimum Rate Tariffs Nos. 2, 3-A, 8, 10, 12 and 14-A.

tariff pages issued pursuant to said Decision No. 69455 (September 4, 1965); that all common carriers be directed to establish in their tariffs all such modifications; and that common carriers be authorized to depart from the long- and short-haul provisions of the Constitution and Public Utilities Code in establishing said modifications.

Tariff changes appear necessary to provide for the application of the split pickup and delivery rules intended by Decision No. 69455. The Commission finds that the tariff changes authorized in the following order are justified and will result in just, reasonable and nondiscriminatory minimum rates for transportation involving split pickup and split delivery services.

In order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 2 will be amended by the order which follows, and Minimum Rate Tariffs Nos. 3-A, 8, 10, 12 and 14-A will be amended by separate order. Long- and short-haul relief is justified and should be authorized to common carriers. In order that the tariff changes may be made effective on October 9, 1965, the orders will be made effective on the date hereof.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D to Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective October 9, 1965; Twenty-first Revised Page 20-A and Second Revised Page 20-C, attached hereto and by this reference made a part hereof.

2. The tariff rules established in ordering paragraph 1 hereof may also be established by common carriers in connection with the transportation of:

- a. Commodities for which minimum rates have not been established, or
- b. Commodities which are subject to higher rates than, or more restrictive provisions than, the minimum rates or provisions otherwise applicable.

3. Tariff publications required 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 on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than October 9, 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 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.

4. Common carriers, in establishing and maintaining the rules authorized hereinabove, are 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 rules published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 8th day of SEPTEMBER, 1965.

Frederick B. Hallock
President

Robert E. Fitchell

George E. Grover

Avogadro

William W. Bennett
Commissioners

Item
No.SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL
APPLICATION (Continued)SPLIT PICKUP
(Items Nos. 160 and 161)

The rate for the transportation of a split pickup shipment shall be determined and applied as follows, subject to Note 1 in Item No. 161:

- (a) Subject to the alternative provided in paragraph (e) of this item, distance rates shall be determined by the distance to point of destination from that point of origin which produces the shortest distance via the other point or points of origin. (See Exceptions 1 and 2).

EXCEPTION 1.—Add to the distance determined under the provisions of paragraph (a) above, 2 constructive miles for each point in excess of one located within:

- (a) a single metropolitan zone, or
- (b) a single incorporated city, including the extended area thereof, but not within a metropolitan zone, or
- (c) a single unincorporated community, including the extended area thereof, but not within a metropolitan zone, designated in the Distance Table as a red point, black point or numbered junction.

EXCEPTION 2.—In the event that a shipment has origin and destination points within and without a mileage territory, and any of such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:

- (a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.
- (b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.

- (b) The carrier shall not transport a split pickup shipment unless prior to or at the time of the initial pickup, written information has been received from the consignor showing the name of the consignor, the points of origin and the kind and quantity of property in each component part of such shipment. Preparation by the shipper of the required single split pickup document referred to in paragraph (c) of this item, for execution by the shipper and carrier prior to or at the time of initial pickup, will constitute compliance with this paragraph.

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- (c) At the time of or prior to the initial pickup, the carrier shall issue to the consignor a single split pickup document. It shall show the name of the consignor, points of origin, date of pickup, name of the consignee, point of destination and the kind and quantity of property of the entire shipment. In addition, a shipping document (see Item No. 255) shall be issued by the carrier to the consignor for each component part of the split pickup shipment (including the initial pickup) which shall give reference to the single split pickup document covering the entire shipment, by showing its date and number (if assigned a number), the name of the consignor, and such other information as may be necessary to clearly identify the single split pickup document.
- (d) If split delivery is performed on a split pickup shipment or a component part thereof, or if written information does not conform with the requirements of a paragraph (b) hereof, or if all of the component parts are not received by the carrier within a period of two calendar days, each component part of the split pickup shipment shall be rated as a separate shipment under other provisions of this tariff, except that those component parts which do conform with the requirements of this item shall constitute a separate split pickup shipment or shipments.
- (e) In determining the charge for a split pickup shipment, component parts may be rated as separate shipments from point or points of origin of such component parts to any point on the split pickup route (as provided in paragraph (a) hereof): provided that the written instructions furnished to the carrier under paragraph (b) hereof show (1) the component parts to be treated as separate shipments and (2) the points between which the separate shipment rates are to be applied. The additional charges provided in Note 1 shall apply to all component parts of the split pickup shipment rated in accordance with the provisions of this paragraph, provided, however, where two or more component parts are rated under rates provided in this tariff as separate shipments to the same point on the split pickup route, the aforesaid two or more components shall be considered as one split pickup and the charge therefor shall be at the combined weight of the aforesaid component parts.

(Continued in Item No. 161)

Change, Decision No. 69651

EFFECTIVE OCTOBER 9, 1965

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

Correction No. 1656

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
ø170	<p data-bbox="655 515 1106 583" style="text-align: center;">SPLIT DELIVERY (Items Nos. 170 and 171)</p> <p data-bbox="365 611 1508 718">The rate for the transportation of a split delivery shipment shall be determined and applied as follows, subject to Note 1 in Item No. 171:</p> <p data-bbox="462 749 1470 953">(a) Subject to the alternative provided in paragraph (e) of this item, distance rates shall be determined by the distance from point of origin to that point of destination which produces the shortest distance via the other point or points of destination. (See Exceptions 1 and 2.)</p> <p data-bbox="548 979 1508 1111">EXCEPTION 1.--Add to the distance determined under the provisions of paragraph (a) above, 2 constructive miles for each point in excess of one located within:</p> <ul data-bbox="650 1143 1431 1479" style="list-style-type: none">(a) a single metropolitan zone, or(b) a single incorporated city, including the extended area thereof, but not within a metropolitan zone, or(c) a single unincorporated community, including the extended area thereof, but not within a metropolitan zone, designated in the Distance Table as a red point, black point or numbered junction. <p data-bbox="536 1499 1492 1687">EXCEPTION 2.--In the event that a shipment has origin and destination points within and without a mileage territory, and any such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:</p> <ul data-bbox="544 1747 1487 2169" style="list-style-type: none">ø(a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.(b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones. <p data-bbox="457 2197 1496 2364">(b) The carrier shall not transport a split delivery shipment unless at the time of or prior to the pickup of the shipment, written information has been received from the consignor showing the name of each consignee, point or points of destination,</p>

and the kind and quantity of property in each component part of such shipment. Preparation by the shipper of the required single split delivery bill of lading or comparable document referred to in paragraph (c) of this item, for execution by the shipper and carrier prior to or at the time of the pickup, will constitute compliance with this paragraph.

- (c) At the time of or prior to the pickup of the shipment, the carrier shall issue to the consignor a single split delivery bill of lading or comparable shipping order for the entire shipment. It shall show the name of the consignor, point of origin, date of pickup, name of each consignee, point or points of destination, and the kind and quantity of property in each component part of such shipment, or, the single split delivery bill of lading or comparable shipping order shall refer to specifically designated documents attached thereto and forming a part thereof which show the component part delivery information.
- (d) If split pickup is performed on a split delivery shipment or if written information does not conform with the requirements of paragraph (b) hereof, or if all of the shipment is not received at the carrier's established depot or picked up by carrier during one calendar day (see exception in multiple lot shipment), each component part of the split delivery shipment shall be rated as a separate shipment under other provisions of this tariff.
- (e) In determining the charge for a split delivery shipment, component parts may be rated as separate shipments from any point or points on the split delivery route (as provided in paragraph (a) hereof) to point or points of destination of such component parts; provided that the written instructions furnished to the carrier under paragraph (b) hereof show (1) the component parts to be treated as separate shipments and (2) the points between which the separate shipment rates are to be applied. The additional charges provided in Note 1 shall apply to all component parts of the split delivery shipment rated in accordance with the provisions of this paragraph, provided, however, where two or more component parts are rated under rates provided in this tariff as separate shipments from the same point on the split delivery route, the aforesaid two or more component parts shall be considered as one split delivery and the charge therefor shall be at the combined weight of the aforesaid component parts.

(Continued in Item No. 171)

ø Change, Decision No. 69651

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San Francisco, California.
Correction No. 1657

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