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ORIGINAL

Decision No. _____

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 property in Los Angeles and Orange Counties (transportation for which rates are provided in Minimum Rate Tariff No. 5).

)
) Case No. 5435
) Petition for Modification
) No. 66
) (Filed July 19, 1965)

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 fresh or green fruits and vegetables and related items (commodities for which rates are provided in Minimum Rate Tariff No. 8).

)
) Case No. 5438
) Petition for Modification
) No. 52
) (Filed July 19, 1965)

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 property within San Diego County (transportation for which rates are provided in Minimum Rate Tariff No. 9-B).

)
) Case No. 5439
) Petition for Modification
) No. 37
) (Filed July 19, 1965)

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 property in the City and County of San Francisco, and the Counties of Alameda, Contra Costa, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma.

)
) Case No. 5441
) Petition for Modification
) No. 95
) (Filed July 19, 1965)

OPINION AND ORDER

By these petitions, California Trucking Association seeks amendment of the definition "Holiday" in certain of the Commission's

minimum rate tariffs.¹ Petitioner avers that the current definition of the term "Holiday" makes no provision for those circumstances wherein a holiday falls on a Sunday and the following Monday is considered as the holiday.

To correct this situation and in the interest of tariff uniformity, petitioner proposes to amend the definition of "Holiday" in the aforementioned tariffs to provide that when specified holidays fall on Sunday, the following Monday shall be considered as a holiday. Petitioner requests that all common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission in these proceedings, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code. Petitioner alleges that this is a subject which may properly be handled by ex parte action.

The certificate of service shows that copies of the petitions were served on interested parties on or about July 16, 1965. The petitions were listed on the Commission's Daily Calendar of July 20, 1965. No objection to the granting of the petitions has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable and consistent with the public interest, and that the resulting minimum rates will be just,

¹ City Carriers' Tariff No. 1-A and Minimum Rate Tariffs Nos. 1-B, 5, 8 and 9-B.

reasonable and nondiscriminatory minimum rates. A public hearing is not necessary. We conclude that the petitions should be granted. Minimum Rate Tariff No. 5 will be amended accordingly by the order herein. In order to avoid duplication of tariff distribution, City Carriers' tariff No. 1-A and Minimum Rate Tariffs Nos. 1-B, 8 and 9-B will be amended by separate orders.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 5 (Appendix A to Decision No. 32504, as amended) is further amended by incorporating therein, to become effective October 23, 1965, Seventeenth Revised Page 7 and Nineteenth Revised Page 40 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 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 23, 1965.

3. Common carriers, in establishing and maintaining the rules authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to comply with this order; 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.

4. In all other respects Decision No. 32504, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at Los Angeles, California, this 14th day of September, 1965.

Fredrick B. Halaloff
President
George E. Hoover
Attorney
William L. Burnett
Commissioners

Item
No.SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL
APPLICATIONDEFINITION OF TECHNICAL TERMS
(Items Nos. 10 and 11)

ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bullet proof glass, and which is manned by an armed crew.

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.

CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles operated by the carrier.

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; also any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203 (b)(6) or Section 203(b)(8) of Part II of the Interstate Commerce Act.

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ESCORT SERVICE means the furnishing of pilot cars or vehicles by a carrier as may be required by any governmental agency to accompany a shipment for highway safety.

EXCEPTION RATINGS TARIFF means Exception Ratings Tariff No. 1 issued by the Commission.

GOVERNING CLASSIFICATION means National Motor Freight Classification A-8 (CAL) as governed by National Motor Freight Classification A-8.

øHOLIDAYS mean New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, December 24 and Christmas Day. *When such holidays fall on Sunday, the following Monday shall be considered as a holiday.

INDEPENDENT-CONTRACTOR SUBBAULER 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.

PALLETIZED SHIPMENT means a shipment tendered to and transported by the carrier on pallets (elevating-truck pallets or platforms or lift-truck skids, with or without standing sides or ends, but without tops).

PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires special

authority from a governmental agency regulating the use of highways, roads or streets for the transportation of such shipment in whole or in part.

POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant or receiving area of one consignee shall be considered as one point of destination. An industrial plant or receiving area of one consignee shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.

POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single industrial plant or shipping area of one consignor shall be considered as one point of origin. An industrial plant or shipping area of one consignor shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.

RATE includes charge, and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.

SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.

SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination. (See also Split Delivery Shipment.)

(Continued in Item No. 11)

ø Change }
* Addition } . Decision No. 69680

EFFECTIVE OCTOBER 23, 1965

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

Correction No. 447

Cancel

Item No.	SECTION NO. 5 - UNIT RATES, RULES AND REGULATIONS (Continued)																												
	<p>FREIGHT, regardless of classification, transported between or within the Metropolitan Los Angeles Zone consisting of Los Angeles and Orange Counties, subject to Notes 1, 2 and 3:</p> <table border="0"> <thead> <tr> <th style="text-align: center;">Weight in Pounds</th> <th style="text-align: center;">Rates in Cents Per Hour (1)</th> </tr> </thead> <tbody> <tr> <td>250 or less -----</td> <td style="text-align: right;">875</td> </tr> <tr> <td>Over 250 but not over 2,500</td> <td style="text-align: right;">1040</td> </tr> <tr> <td>Over 2,500 but not over 5,000</td> <td style="text-align: right;">1065</td> </tr> <tr> <td>Over 5,000 but not over 8,000</td> <td style="text-align: right;">1095</td> </tr> <tr> <td>Over 8,000 but not over 12,000</td> <td style="text-align: right;">1110</td> </tr> <tr> <td>Over 12,000 but not over 20,000</td> <td style="text-align: right;">1225</td> </tr> <tr> <td>Over 20,000 but not over 30,000</td> <td style="text-align: right;">1305</td> </tr> <tr> <td>Over 30,000 -----</td> <td style="text-align: right;">1455</td> </tr> </tbody> </table> <p>(1) Subject to a minimum charge of one hour.</p> <p>NOTE 1.-Weight in pounds is the greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction. No allowance shall be made for weight of containers.</p> <p>NOTE 2.- (a) The total of the loading, unloading and driving time computed from the arrival of carrier's equipment at point of origin, or first point of origin when more than one point of origin is involved, to the time unloading is completed at point of destination, or last point of destination when more than one point of destination is involved, subject to paragraph (b) hereof, shall be used to compute charges.</p> <p>(b) In computing time under the basis outlined in paragraph (a) hereof the various time factors shall be not less than the actual time involved in minutes. After the total time has been determined under the provisions of paragraph (a) hereof, it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:</p> <table border="0" style="margin-left: 40px;"> <tr> <td>Less than 8 minutes -----</td> <td>omit.</td> </tr> <tr> <td>8 minutes or more but less than 23 minutes</td> <td>shall be $\frac{1}{4}$ hour.</td> </tr> <tr> <td>23 minutes or more but less than 38 minutes</td> <td>shall be $\frac{1}{2}$ hour.</td> </tr> <tr> <td>38 minutes or more but less than 53 minutes</td> <td>shall be $\frac{3}{4}$ hour.</td> </tr> <tr> <td>53 minutes or more</td> <td>shall be 1 hour.</td> </tr> </table> <p>NOTE 3.-Between the hours of 6:00 P.M. and 7:00 A.M., and on Saturdays, Sundays and the holidays of Washington's Birthday, Memorial Day and December 24th,*as defined in Item No. 10, an additional charge at the rate of \$3.00 per hour (or fraction thereof) shall be assessed. On all other holidays,*as defined in Item No. 10, an additional charge of \$6.00 per hour (or fraction thereof) shall be assessed.</p>	Weight in Pounds	Rates in Cents Per Hour (1)	250 or less -----	875	Over 250 but not over 2,500	1040	Over 2,500 but not over 5,000	1065	Over 5,000 but not over 8,000	1095	Over 8,000 but not over 12,000	1110	Over 12,000 but not over 20,000	1225	Over 20,000 but not over 30,000	1305	Over 30,000 -----	1455	Less than 8 minutes -----	omit.	8 minutes or more but less than 23 minutes	shall be $\frac{1}{4}$ hour.	23 minutes or more but less than 38 minutes	shall be $\frac{1}{2}$ hour.	38 minutes or more but less than 53 minutes	shall be $\frac{3}{4}$ hour.	53 minutes or more	shall be 1 hour.
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ø Change }
* Addition } Decision No.

69689

EFFECTIVE OCTOBER 23, 1965

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 448