

69681

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 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)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 69680 entered today in Case No. 5435
(Petition for Modification No. 66) et al. amended the definition
of the term "Holiday" in certain of the Commission's minimum rate
tariffs. The decision also provided that, in order to avoid du-
plication of tariff distribution, Minimum Rate Tariff No. 8 should
be amended by a separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 8 (Appendix C to Decision No.
33977, as amended) is further amended by incorporating therein, to
become effective October 23, 1965, Twelfth Revised Page 4, Seventh
Revised Page 5 and First Revised Page 42-A, 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 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.

4. In all other respects Decision No.33977, as amended, shall remain in full force and effect.

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

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

Frederic B. Holdehoff
President
Paul E. Mitchell
George J. Grover
Augusta
William C. Brown
Commissioners

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

BUNKER ICING means placing ice in bunkers or compartments in carrier's equipment, separate or apart from the cargo area thereof, but not including the providing of mechanical means for distributing the cool air, such as fans.

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

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COMPONENT PART means any part of a shipment separately received by the carrier whether or not such part is separately delivered by the carrier; and any part of a shipment separately delivered by the carrier whether or not such part is separately received by the carrier.

CONTAINER ICING means placing ice within the package with the fruit or vegetable shipped.

DISTANCE TABLE means Distance Table No. 5.

DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee, or other party.

ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.

(1) HOLIDAYS means New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Admission Day, Thanksgiving Day and Christmas Day. When such holidays fall on Sunday, the following Monday shall be considered a holiday.

INDEPENDENT-CONTRACTOR SUBHAULER means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.

PICKUP AND DELIVERY CHARGE means the full charge applicable without the deduction authorized by Item No. 120.

POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. (See also Item No. 120, paragraph 2.)

POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation; except that all locations within a single plant or shipping area of one consignor, and all locations within a radius of 100 yards from a single point, within a single field will be considered as one point of origin. A single plant or shipping area shall include only contiguous property which shall not be deemed separate if intersected only by a public street or thoroughfare.

POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift-truck equipment.

(Continued in Item No. 11)

(1) Definition of "Holidays" formerly appeared on Original Page 42-A.

Change, Decision No.

69681

EFFECTIVE OCTOBER 23, 1965

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

Correction No. 452

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p data-bbox="512 377 1281 442" style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p data-bbox="324 481 1460 872">PRODUCE SERVICE SHIPMENT means a shipment, transported in one unit of equipment in one continuous movement not exceeding 48 hours in duration, consisting of one or more component parts delivered to, and/or received from, one or more consignee(s) or consignor(s) at one or more points of origin and/or destination. All shipping instructions and freight charges must be assumed by a single party when there is more than one consignee or consignor, and any oral shipping instructions must be confirmed by a single shipping document not later than 48 hours after final delivery. Applies only to truckload shipments subject to a minimum weight of 24,000 pounds or more.</p> <p data-bbox="324 898 1468 1054">RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars or vessels. It also includes truck loading facilities of plants or industries, located at such rail or vessel loading or unloading point.</p> <p data-bbox="324 1080 1460 1184">RATE includes charges and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p data-bbox="324 1210 1451 1354">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.</p> <p data-bbox="222 1380 1451 1484">Δ 11 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.</p> <p data-bbox="324 1536 1460 1874">SPLIT PICKUP SHIPMENT means a shipment consisting of several component parts, tendered at one time, received during one day and transported under one shipping document from (a) one consignor at more than one point of origin, or (b) more than one consignor at one or more points of origin the composite shipment weighing (or transportation charges computed upon a weight of) not less than 4,000 pounds, said shipment being consigned and delivered to one consignee at one point of destination and charges thereon being paid by the consignee when there is more than one consignor.</p> <p data-bbox="324 1900 1477 2200">SPLIT DELIVERY SHIPMENT means a shipment consisting of several component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, the composite shipment weighing (or transportation charges computed upon a weight of) not less than 4,000 pounds, said shipment being shipped by one consignor on one shipping document at one point of origin at one time and charges thereon being paid by the consignor when there is more than one consignee.</p>

TEAM TRACK means a point at which property may be loaded into, or upon, or unloaded from rail cars by the public generally. It also includes wharves, docks and landings at which the public generally may receive and tender shipments of property from and to common carriers by vessel.

UNIT OF CARRIER'S EQUIPMENT means one or more pieces of carrier's equipment (as defined in paragraph (b) hereof) physically connected so as to form a complete unit.

VEHICLE ICING means placing ice around or over the packages within carrier's equipment.

Δ Change, neither increase)
nor reduction) Decision No. 69681

EFFECTIVE OCTOBER 23, 1965

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San Francisco, California.
Correction No. 453

Item No.	SECTION NO. 4 - SPECIAL SAN FRANCISCO AREA AND EAST BAY AREA RATES
505	<p style="text-align: center;">APPLICATION OF RATES</p> <p>(a) Rates in Section No. 4 apply for the transportation of fruits, mushrooms, nuts, vegetables and empty containers, as described in the individual rate items, within or between the San Francisco Area zones described in Items Nos. 560 and 565; also within or between the East Bay Area zones described in Items Nos. 570, 575 and 580.</p> <p>(b) Rates in Section No. 4 are subject to the provisions of the following items in Section No. 1: Items Nos. 10 and 11, Definition of Technical Terms; Item No. 20, Application of Tariff - Carriers; Item No. 30, Application of Tariff - Territorial; Items Nos. 40 and 41, Application of Tariff - Commodities; Item No. 60, Gross Weight; Item No. 65 - Units of measurement in Quotation of Rates and Charges; Item No. 100, Mixed Shipments; Item No. 190, Collect on Delivery (C.O.D.) Shipments; Item No. 210, Alternative Application of Common Carrier Rates; Item No. 215, References to Items and Other Tariffs; Item No. 217, Accessorial Charges not to be offset by Transportation Charges; Item No. 250, Accessorial Services Not Included in Common Carrier Rates (except paragraphs 4 and 5 and paragraphs 1, 2, and 3 of Note therein); Item No. 255, Issuance of Shipping Documents; and Item No. 260, Collection of Charges. They are not subject to other rules and regulations provided in Section No. 1.</p> <p>(c) Rates in Section No. 4 include tailgate loading into and tailgate unloading from the carrier's equipment with the services of the driver only, subject to provisions of Item No. 515.</p> <p>(d) Rates in Section No. 4 apply to transportation by city carriers, radial highway common carriers, and highway contract carriers.</p>
515	<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>For stacking, sorting, or other accessorial service which is not authorized to be performed under the rates provided in this Section, and for which a charge is not otherwise provided, an additional charge of \$5.10 per man per hour, minimum charge \$5.10, shall be made.</p>
	<p style="text-align: center;">(1) CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS</p> <p>Rates named in this Section apply for service performed during regular hours from 4:00 a.m. to 5:00 p.m. except Saturdays, Sundays and holidays *as defined in Item No. 10.</p>

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For service performed at the request of the shipper or consignee at other than those hours specified above and on Saturdays, Sundays and holidays, a charge equal to the additional cost of overtime will be made.

(1) Definition of "Holidays" transferred to Twelfth Revised Page 4.

∅ Change
* Addition

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