

Decision No. 69684

ORIGINAL

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 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)

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 duplication of tariff distribution, Minimum Rate Tariff No. 1-B should be amended by a separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 1-B (Appendix B of Decision No. 65834, as amended) is hereby further amended by incorporating therein, to become effective October 23, 1965, Fifth Revised Page 11 and Seventh Revised Page 19 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 the long- and short-haul departures and to this order.

4. In all other respects, Decision No. 65834, 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. Holloff
President
Walter E. Mitchell
George D. Hoover
Alvador
William L. Lewis
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p>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.</p> <p>CITY DELIVERY or CITY DELIVERIES means transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the territory covered by this tariff at other than a carrier's depot, dock, wharf, pier, or landing.</p> <p>COMMISSION means the Public Utilities Commission of the State of California.</p> <p>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.</p> <p>DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.</p> <p>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.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-8 (CAL) as governed by National Motor Freight Classification A-8.</p> <p>(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 as a holiday.</p> <p>INEHAUL means the transportation of property received from another carrier at a depot, wharf, pier, or landing originating beyond the limits of the territory covered by this tariff and delivered at one address to the consignee shown on the bill of lading of the carrier from which the shipment is received, or the transportation of property from public warehouses when delivered to one wholesaler consignee at one address.</p>	<p>10</p>

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.

OUTHAUL means transportation of property in City Delivery and Shipping as defined herein.

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.

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.

(Continued in Item No. 11)

(1) Definition of "Holidays" formerly appeared on Sixth Revised Page 19.

o Change, Decision No.

69684

EFFECTIVE OCTOBER 23, 1965

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 96

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.						
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments, as defined in Item No. 11, from point of origin to point of destination and include tailgate loading into and tailgate unloading from the carrier's equipment. (See Item No. 110.)</p>	90						
<p style="text-align: center;">APPLICATION OF GOVERNING CLASSIFICATION</p> <p>(a) Except as otherwise provided, class rates in this tariff are subject to the ratings shown in the Governing Classification. Rates in this tariff are subject to the provisions of the following rules only of the Governing Classification:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">80</td> </tr> <tr> <td style="text-align: center;">70</td> <td style="text-align: center;">115 (Table A)</td> </tr> <tr> <td style="text-align: center;">75</td> <td></td> </tr> </table> <p>(b) Where the ratings are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p> <p>(c) Commodity rates named in this tariff are governed by the Governing Classification to the extent that commodity rate items make specific reference thereto.</p>	1	80	70	115 (Table A)	75		100
1	80						
70	115 (Table A)						
75							
<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>(a) For pickup or delivery or for stacking, sorting or other accessorial service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided, an additional charge of \$6.60 per man per hour, minimum charge \$1.65 shall be made.</p> <p>(b) When carrier is required to provide additional labor, at point of origin or point of destination, for the handling of articles or packages which, because of their weight or bulk, cannot be handled by one man, an additional charge of \$6.60 per man per hour, minimum charge \$6.60 shall be made.</p>	110						
<p style="text-align: center;">ADVANCE CHARGES</p> <p>All charges on shipments advanced by a carrier for the account of a shipper or consignee will be payable on demand of the carrier making the advance.</p>	120						

ALTERNATIVE APPLICATION OF COMMON CARRIER RATES

Common carrier rates may be applied in lieu of the rates provided in this tariff when such common carrier rates produce a lower aggregate charge for the same transportation between the same points of origin and destination and for the same accessorial services than results from the application of the rates herein provided.

EXCEPTION: The provisions of this item do not apply on services performed under the provisions of Item No. 900.

When the common carrier rate used does not include accessorial services performed by the carrier, the following charges for such accessorial services shall be added:
(See Note)

130

- (a) For loading onto carrier's equipment, the charges provided in paragraph (d).
- (b) For unloading from carrier's equipment, the charges provided in paragraph (d).
- (c) For other accessorial services for which charges are provided in this tariff, the additional charge or charges so provided.
- (d) 4 cents per 100 pounds.

NOTE--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.

(1) CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS

Rates named in Sections 2, 3, 4 and 5 apply for service performed during regular working hours of 8:00 a.m. to 5:00 p.m. except Saturdays, Sundays and holidays *as defined in Item No. 10.

1140

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

(1) Definition of "Holidays" transferred to Fifth Revised Page 11.

Change)
* Addition) Decision No. 69684

EFFECTIVE OCTOBER 23, 1965

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

Correction No. 97