

**ORIGINAL**

Decision No. 70458

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 ) Case No. 5439  
of all common carriers, highway ) (Petition for Modification  
carriers and city carriers relating ) No. 39)  
to the transportation of property ) (Filed December 13, 1965)  
within San Diego County (transporta- )  
tion for which rates are provided )  
in Minimum Rate Tariff No. 9-B). )

SUPPLEMENTAL OPINION AND ORDER

Decision No. 70457 entered today in Case No. 5435 (Petition for Modification No. 69), et al., established rules and regulations in City Carriers' Tariff No. 1-A and Minimum Rate Tariffs Nos. 1-B, 5 and 9-B for the free return transportation of empty pallets. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 9-B should be amended by a separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 9-B (Appendix "A" of Decision No. 67766, as amended) is hereby further amended by incorporating therein, to become effective April 23, 1966, Second Revised Page 3, Second Revised Page 8 and Original Page 26-A, attached hereto and by this reference made a part hereof.

2. Tariff publications authorized 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.

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 said Decision No. 67766, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 14th day of March, 1966.

Frederick B. Holdoff  
President

George A. Hoover

Augusta

William W. Bennett  
Commissioners

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\* Addition, Decision No. **70458**

EFFECTIVE APRIL 23, 1966

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

Correction No. 33

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">DEFINITIONS OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p>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.</p> <p>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.</p> <p>POOL LOT means a quantity of freight contained in a rail car or motor vehicle or located on a steamship wharf for delivery or reshipment to two or more points of destination in the San Diego Drayage Area, or to one or more points in the San Diego Drayage Area and one or more points outside thereof, such freight for delivery within the San Diego Drayage Area being consigned to:</p> <ol style="list-style-type: none"> <li>(1) A carrier to segregate or to unload and segregate and deliver to consignees, their agents or to other carriers; or</li> <li>(2) A consignee, other than a carrier, when carrier is instructed to distribute and deliver to the consignees, subconsignees, their agents, or other carriers.</li> </ol> <p>*POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift truck equipment.</p> <p>RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>SAME TRANSPORTATION means transportation of the same kind and quantity of property between the same points, and subject to the same limitations, conditions and privileges, but not necessarily in an identical type of equipment.</p> <p>SAN DIEGO DRAYAGE AREA means the area encompassed by all of the zones described in Item No. 30.</p> <p>SHIPMENT means a quantity of property 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 definition for Split Delivery Shipment for exceptions.)</p>	611

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 at one point of origin and charges thereon being paid by one debtor.

TON means 2,000 pounds.

UNIT OF EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semitrailer, dolly or any combination of such highway vehicles operated by the carrier.

∅ Change )  
\* Addition ) Decision No. 70458

EFFECTIVE APRIL 23, 1966

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 34

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;"><b>EMPTY PALLET RETURN</b></p> <p>When palletized shipments are transported under truck-load rates and are subject to minimum weights of not less than 20,000 pounds, empty pallets may be transported from point of destination of shipment to its point of origin without charge, subject to the terms and conditions in Notes 1, 2, 3, 4, 5 and 6.</p> <p>NOTE 1.--Shipments must be loaded into carrier's equipment by the consignor and/or unloaded by the consignee with power equipment as described in Item No. 11 furnished and used without expense to the carrier and where no services are performed at carrier's expense.</p> <p>NOTE 2.--Shipper must indicate the number of pallets and weight thereof on bill of lading covering the loaded movement.</p> <p>NOTE 3.--Shipper must indicate on shipping instructions that palletized shipments were loaded directly onto trailers by power-loading equipment operated by personnel furnished by shipper; and/or receivers must show on carrier's delivery receipt that shipments were removed by power-loading equipment operated by personnel furnished by receiver.</p> <p>NOTE 4.--On the return movement of pallets, the shipper must give reference to the inbound movement on the outbound shipping document.</p> <p>NOTE 5.--Carrier must assess applicable tariff charges on empty pallets under the following conditions:</p> <ul style="list-style-type: none"> <li>(a) If consignee immediately upon receipt of shipment fails to provide carrier with a like number of pallets, either for a return movement, or loaded for a beyond move by carrier, or</li> <li>(b) For any empty pallets tendered in excess of the number of loaded pallets transported by carrier on said shipment.</li> </ul> <p>NOTE 6.--For the purpose of this item, empty pallets shall be metal or wooden, six inches or less in height or nested solid (subject to Rule 5, Section 13(b), of the Governing Classification), as described in Items 150370, Sub 1, 150380, 150390, 150410 or 150430, Sub 2, of the Governing Classification.</p>	<p>*185</p>
<p>* Addition, Decision No. <b>70458</b></p>	
<p>EFFECTIVE APRIL 23, 1966</p>	
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