

**ORIGINAL**

Decision No. 70460

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. 97)  
(Filed December 13, 1965)

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. 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 April 23, 1966, the revised pages attached-hereto and listed in Appendix A also attached hereto, which pages and appendix are 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 the long- and short-haul departures and to this order.

4. In all other respects said 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 San Francisco, California, this 15<sup>th</sup> day of March, 1966.

Frederick B. Halaloff  
President  
George J. Grover  
William M. Bennett  
Commissioners

APPENDIX A TO DECISION NO. 70460

List of Revised Pages to Minimum Rate Tariff No. 1-B

Authorized by Said Decision

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Third Revised Page 12

Ninth Revised Page 19

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(END OF APPENDIX A LIST)

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\* Addition, Decision No. **70460**

EFFECTIVE APRIL 23, 1966

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San Francisco, California.

Correction No. 113

SECTION NO. 1-RULES AND REGULATIONS (Continued)	Item No.
<p data-bbox="428 510 1212 581" style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p data-bbox="206 621 1354 731">POOL SHIPMENT means a shipment consisting of component parts which are for reshipment to two or more points of destination, such shipment being consigned to:</p> <ol data-bbox="321 773 1299 1142" style="list-style-type: none"> <li data-bbox="321 773 1299 915">1. A carrier with instructions for unloading, distribution and delivery of one or more component parts to consignees, their agents, or to other carriers; or</li> <li data-bbox="321 963 1333 1142">2. A consignee (other than a carrier) in connection with which pool shipment a carrier is instructed to unload, distribute and deliver one or more component parts to the consignee, subconsignees, their agents or to other carriers.</li> </ol> <p data-bbox="211 1187 1321 1329">The term "delivery" as used in this definition means relinquishing the property to the consignee, his agent, or another carrier entitled to receive such property, whether at the point of distribution or elsewhere.</p> <p data-bbox="215 1371 1380 1481">*POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift truck equipment.</p> <p data-bbox="215 1521 1362 1629">RATE includes charge and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p data-bbox="215 1671 1342 1816">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 data-bbox="220 1847 1345 1955">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.</p> <p data-bbox="220 1987 1328 2095">SHIPPING means transportation of property to another carrier when destined beyond the territory covered by this tariff.</p> <p data-bbox="220 2134 1405 2318">TAILGATE LOADING means loading of the shipment into or upon carrier's equipment from a point at street level not more than 20 feet distant from said equipment or at other than street level when vehicular elevator service or vehicular ramp is provided and made available to the carrier.</p>	<p data-bbox="1436 1221 1496 1252">Ø11</p>

TAILGATE UNLOADING means unloading of the shipment from carrier's equipment and placing it at a point at street level not more than 20 feet distant from said equipment or at other than street level when vehicular elevator service or vehicular ramp is provided and made available to the carrier.

TON means 2,000 pounds.

TOW CAR means a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing or is otherwise exclusively used to render assistance to other vehicles.

∅ Change ) Decision No. 70460  
\* Addition)

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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. *Except as otherwise provided, 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;">2</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>	2	80	70	115 (Table A)	75		6100
2	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> <p>(c) On shipments of glass as described under the heading "Glass" in the Governing Classification in packages named therein exceeding 120 united inches, add 6½ cents per 100 pounds to applicable class rates. (See Note.)</p> <p>NOTE.--Will not apply where crane facilities are available without cost to carrier or loading and/or unloading is performed by shipper and/or consignee, at both pickup and delivery points.</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)

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- (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.

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.

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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.

∅ Change )  
\* Addition ) Decision No. 70460

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Correction No. 115

SECTION NO. 1 - RULES AND REGULATIONS  
(Continued)

Item  
No.

EMPTY PALLET RETURN

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.

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. 10, furnished and used without expense to the carrier and where no services are performed at carrier's expense.

NOTE 2.--Shipper must indicate the number of pallets and weight thereof on bill of lading covering the loaded movement.

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.

NOTE 4.--On the return movement of pallets, the shipper must give reference to the inbound movement on the outbound shipping document.

NOTE 5.--Carrier must assess applicable tariff charges on empty pallets under the following conditions:

- (a) If consignee immediately upon receipt of shipment fails to provide carrier with up to a like number of pallets, either for a return movement, or loaded for a beyond move by carrier, or
- (b) For any empty pallets tendered in excess of the number of loaded pallets transported by carrier on said shipment.

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.

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o Reduction )

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