

Decision No. 71185

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

Case No. 5439
(Petition for Modification
No. 49)
(Filed July 11, 1966)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 71183, entered today in Case No. 5432, et al., the Commission found that various minimum rate tariffs should be amended to reflect the adoption of National Motor Freight Classification A-9 and its California Supplement A-9 (CAL) in lieu of National Motor Freight Classification A-8 and its California Supplement A-8 (CAL). The decision also found that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 9-B should be amended by 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 September 21, 1966, Fourth Revised Page 7 and Second Revised Page 18, 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 September 21, 1966, on not less than one day's notice to the Commission and to the public and such tariff publications shall be made effective not later than October 15, 1966; and tariff

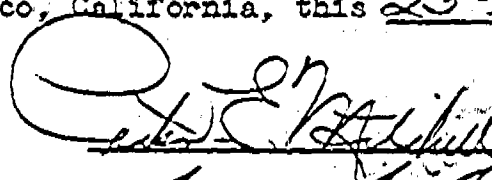
publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier than September 21, 1966, and may be made effective on not less than one day's notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

3. Common carriers, in establishing and maintaining the ratings and 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 ratings and rules published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

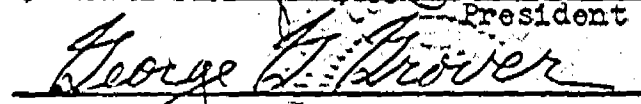
4. In all other respects said Decision No. 67766, as amended, shall remain in full force and effect.

This order shall become effective September 20, 1966.

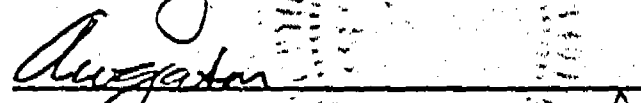
Dated at San Francisco, California, this 23rd day of August, 1966.



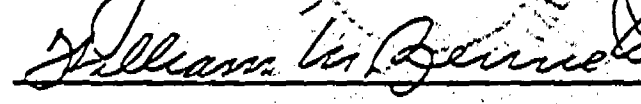
President



George T. Hoover



Augustus



William Van Buren

Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION NO. 1 - RULES AND REGULATIONS

Item
No.DEFINITION 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, semitrailer, dolly or any combination of such highway vehicles operated by the carrier.

COMMISSION means the Public Utilities Commission of the State of California.

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 for transportation by land; 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.

§10

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

DISTANCE TABLE means Distance Table No. 5.

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.

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

GOVERNING CLASSIFICATION means National Motor Freight Classification A-9 (CAL) as governed by National Motor Freight Classification A-9.

HOLIDAYS 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 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.

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.

(Continued in Item No. 11)

ø Change, Decision No. 71185

EFFECTIVE SEPTEMBER 21, 1966

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

Correction No. 47

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.																																
<p style="text-align: center;">APPLICATION OF CLASSIFICATION RATINGS AND MINIMUM WEIGHTS</p> <p>Except as otherwise provided in this tariff, shipments subject to truckload ratings in the Governing Classification lower than fourth (4th) class will be subject to rates provided for fourth (4th) class.</p> <p>When truckload minimum weight as provided in the Governing Classification exceeds 40,000 pounds, the minimum weight shall be 40,000 pounds.</p> <p>Except as otherwise provided in this tariff, class rates contained in this tariff are subject to any quantity or less-truckload and truckload ratings as shown in the Governing Classification.</p>	60																																
<p style="text-align: center;">APPLICATION OF CLASS RATES THAT ARE PERCENTAGES, MULTIPLES OR PROPORTIONS OF SPECIFIC CLASS RATINGS</p> <p>Class ratings which are based on percentages, multiples or proportions of first class or other specified class ratings are not restricted in their application solely to the minimum class rates in the any quantity weight brackets but will apply in connection with the minimum weight brackets set forth in this tariff applicable to the shipment transported.</p>	70																																
<p style="text-align: center;">APPLICATION OF GOVERNING CLASSIFICATION</p> <p>(a) Except as otherwise provided, this tariff is governed by the Governing Classification, as defined in Item No. 10. Rates in this tariff are subject to the provisions of the following rules only of the Governing Classification:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">1</td> <td style="width: 50%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td>2</td> <td></td> <td>422</td> <td></td> </tr> <tr> <td>110</td> <td>(Sections 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)</td> <td>424</td> <td></td> </tr> <tr> <td></td> <td></td> <td>565</td> <td></td> </tr> <tr> <td>310</td> <td></td> <td>595</td> <td>(Section 2)</td> </tr> <tr> <td>360</td> <td>(Sections 2(c), 2(d) and 3 only)</td> <td>640</td> <td></td> </tr> <tr> <td>420</td> <td></td> <td>845</td> <td></td> </tr> <tr> <td>421</td> <td></td> <td>997</td> <td>(Table A)</td> </tr> </table> <p>(b) Where the ratings, rules and regulations or other provisions or conditions provided in the Governing Classification are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p>	1				2		422		110	(Sections 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)	424				565		310		595	(Section 2)	360	(Sections 2(c), 2(d) and 3 only)	640		420		845		421		997	(Table A)	80
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