

ORIGINAL

Decision No. 71186

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 cement and related products (commodi-)
ties for which rates are provided in)
Minimum Rate Tariff No. 10).

Case No. 5440
(Petition for Modification
No. 37)
(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. 10 should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix A to Decision No. 44633, as amended) is further amended by incorporating therein, to become effective September 21, 1966, Fourteenth Revised Page 4 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 page 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, Decision No. 44633, 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.

John E. H. [Signature]
President

George E. [Signature]

[Signature]

[Signature]

Commissioners

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

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">DEFINITIONS (Items Nos. 10 and 11)</p> <p>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.</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; any interstate rate 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)(8) of Part II of the Interstate Commerce Act.</p> <p>DISTANCE TABLE means Distance Table No. 5.</p> <p>EXCEPTION RATINGS TARIFF means Exception Ratings Tariff No. 1 issued by the Commission.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-9 (CAL) as governed by National Motor Freight Classification A-9.</p> <p>MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.</p> <p>OVERLYING CARRIER (principal carrier) means a carrier which contracts with a shipper to provide transportation service for the latter, but which carrier in turn employs another carrier, known as the underlying carrier (independent-contractor subhauler), to perform that service.</p>	10

PALLETS means second-hand (used) pallets as described in and subject to the provisions of Item No. 320 of the Exception Ratings Tariff. It also means pallets which are returned or shipped in exchange for identical pallets.

POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignee within a radius of 300 feet from a single point will be considered as one point of destination.

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 (1) all locations within a radius of 50 feet from a single point, and (2) all locations on the property of a single consignor within a radius of 300 feet from a single point will be considered as one point of origin.

(Continued in Item No. 11)

Change, Decision No. 71186

EFFECTIVE SEPTEMBER 21, 1966

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 88