

Decision No. 71462**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 livestock and related items (commodi-)
 ties for which rates are provided in)
 Minimum Rate Tariff No. 3-A).)

Case No. 5433
 Petition for Modification
 No. 22
 (Filed January 24, 1966)

SUPPLEMENTAL OPINION AND ORDERDecision No. 71461, entered today in Case No. 5432

(Petition for Modification No. 405) et al., established revised provisions in Minimum Rate Tariff No. 2 and Minimum Rate Tariff No. 3-A governing the issuance of a freight bill by the carrier for each shipment transported. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 3-A should be amended by a separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 3-A (Appendix A of Decision No. 55587, as amended) is hereby further amended by incorporating therein, to become effective December 3, 1966, the revised pages attached hereto and by this reference made a part hereof, which revised pages are numbered as follows:

Third Revised Page 4
 First Revised Page 16.

2. Tariff publications required or 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, on not less than ten days' notice to the Commission and to the public; such tariff publications as are required shall

be made effective not later than December 3, 1966; and as to tariff publications which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date hereof.

3. Common carriers, in establishing and maintaining the rates 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 rates 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. 55587, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 25th day of OCTOBER 1966.

[Signature]
President

George T. Crover

Fredrick B. Hallock

Augustin

William M. Bensusan
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p>PUBLIC WEIGHMASTER'S CERTIFICATE means a statement issued and signed or initialed by a weighmaster or deputy weighmaster licensed by the State of California, any subdivision thereof, or the federal government to perform public weighing. The statement shall set forth the kind of livestock, the date weighed, the license number or equipment number of the vehicle or vehicles in which the livestock was transported, and the weight of the livestock (or the gross weight of the livestock and the vehicle or vehicles and the unladen weight of the vehicle or vehicles). If the gross weight of the vehicle or vehicles and the livestock is shown on one statement and the unladen weight of the vehicle or vehicles is shown on another, the separate statements will constitute a public weighmaster's certificate.</p> <p>RAILHEAD means a point at which facilities are maintained for the loading of livestock into or upon, or the unloading of livestock from rail cars or vessels as defined in Section 238(a) of the Public Utilities Code.</p> <p>RATE includes charge and also the 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 livestock and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>SHIPMENT means a quantity of livestock tendered by one shipper on one agreement for carriage at one point of origin at one time for one consignee at one point of destination. (See also definitions of split delivery shipment and split pickup shipment.)</p> <p>SLAUGHTER HOUSE means a place of business licensed to slaughter livestock.</p> <p>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, said shipment being shipped by one consignor at one point of origin, under one agreement for carriage and, except as provided in paragraph B of Item No. 251, all charges thereon being paid by the consignor when there is more than one consignee.</p> <p>SPLIT PICKUP SHIPMENT means a shipment consisting of several component parts received during one day and transported under one agreement for carriage from (a) one consignor at more than one point of origin, or (b) more than one consignor at one or more points of origin, the composite shipment being consigned and delivered to one consignee at one point of destination and, except as provided in paragraph B of Item No. 251, all charges thereon being paid by the consignee when there is more than one consignor.</p> <p>STOCKYARD means any place, establishment or facility consisting of pens or other enclosures and their appurtenances, licensed by the federal or state government or any subdivision thereof to receive, hold or keep for sale or shipment in commerce live cattle, calves, sheep, swine or goats.</p>	11

TEAM TRACK means a point at which livestock may be loaded into, or upon, or unloaded from rail cars by the public generally. It also includes wharves, docks and landings at which the public generally may receive and tender shipments of livestock from and to common carriers by vessel.

Change }
* Addition } Decision No. 71462

EFFECTIVE DECEMBER 3, 1966

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 61

SECTION NO. 1--RULES AND REGULATIONS (Concluded)	Item No.
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS (Concluded) (Items Nos. 250 and 251)</p> <p>b. As a condition precedent to the recovery of damages caused by the carrier's negligence, claims must be filed in writing with the carrier within 90 days after date of delivery, or, in the case of failure to make delivery, within 100 days after tender of the shipment.</p> <p>c. No claim shall be honored by a carrier covering any shipment on which the shipper has not remitted to the carrier full transportation charges.</p> <p>d. All claims shall be accompanied by paid freight bill, shipping order and delivery receipt, or exact copies thereof, and a verified statement itemizing the extent of loss or damage.</p> <p>e. Unless written notice of loss or damage is given to a carrier before or at the time the shipment is unloaded at point of destination, the carrier will be discharged from all liability in respect to any claim for loss and damage.</p> <p>The form of agreement for carriage in Items Nos. 320 and 321 will be suitable and proper.</p> <p>A copy of each agreement for carriage shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p> <p>B. Freight Bill</p> <p>A bill for freight charges shall be issued by the carrier to the debtor for each shipment received for transportation. *Except as hereinafter provided, only one freight bill shall be issued for each shipment transported, and the carrier shall not apportion, prorate, or otherwise divide the freight charges between or among the consignor(s), consignee(s), or any other parties. For accessorial service not included in the rate for actual transportation, the carrier shall issue a freight bill to the consignor or consignee who requested or ordered such accessorial service. The freight bill shall show the following information:</p> <ol style="list-style-type: none"> 1. Name of consignor. 2. Name of consignee. 3. Point of origin. 4. Point of destination. 5. Description of the kind and number of head of livestock shipped. 	<p>251</p>

6. Weight of the shipment (attach public weigh-master's certificate when obtained) or the per-head basis when dairy cattle rates are used.
7. Rate assessed.
8. Charges assessed.
9. Type of movement.
10. Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge.

The form of freight bill in Item No. 322 will be suitable and proper.

A copy of each freight bill shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.

∅ Change) * Addition)	Decision No. 71462
----------------------------	---------------------------

EFFECTIVE DECEMBER 3, 1966

Issued by the Public Utilities Commission of the State of California, Correction No. 62	San Francisco, California.
--	----------------------------