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ORIGINAL

Decision No. 72223

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 sand,)
 rock, gravel and related items)
 (commodities for which rates are)
 provided in Minimum Rate Tariff)
 No. 7).

Case No. 5437
 Order Setting Hearing dated
 March 22, 1966

(Appearances as shown in Appendix B)

SECOND INTERIM OPINION AND ORDER

This proceeding involves a general revision of the statewide minimum mileage and hourly rates for the transportation of commodities in dump trucks, as set forth in Minimum Rate Tariff No. 7 (MRT 7).

Several days of hearing have been held before Examiner Mallory at San Francisco and Los Angeles. The Commission staff introduced cost studies and rate proposals. The rate proposals contemplate comprehensive revisions in the format and levels of hourly rates. Except with respect to matters covered herein, cross-examination of the staff witnesses has not been completed, nor have other interested parties had the opportunity to introduce evidence. An interim order has been issued herein which amended MRT 7 to incorporate "cement treated base" in the list of articles for which hourly rates are applicable (Decision No. 71517, dated November 9, 1966).

The unit of measurement upon which the current hourly rates are predicated is the capacity of the vehicle in cubic yards. One of the recommendations contained in the staff rate proposal is that the unit of measurement for computation of hourly rates (other than for light weight materials) be based upon the legal payload capacity of the equipment in tons. Such capacity would be determined by subtracting the unladen weight of the vehicle from the allowed load in pounds. Definitions in the California Vehicle Code are used to define the foregoing.^{1/}

Evidence in support of this recommendation was adduced by a staff transportation rate expert. Also evidence showing the capacities of several frequently used equipment units, both in cubic yards and in legal carrying capacity in tons, was presented by a staff transportation engineer.

The rate expert testified as follows: The present method of assessing charges based upon the cubic capacity of the dump truck body does not properly reflect the weight carrying capacity of the vehicles used. Depending upon the age of the vehicle and the materials used in its construction, vehicles of the same cubic capacity vary by 25 to 27 percent in weight carrying capacity. The trend in construction of dump truck vehicles is to the use of lighter materials which reduce the tare of the vehicle and increase the net payload weight capacity. In connection with materials other

^{1/}

The following definitions would govern:

ALLOWED LOAD IN POUNDS means the gross vehicle weight in pounds of the dump truck equipment as authorized by Section 35551 of the California Vehicle Code.

LEGAL PAYLOAD CAPACITY means the allowed load in pounds less the unladen weight of the dump truck equipment.

UNLADEN WEIGHT means the weight upon which weight fees for commercial vehicles are paid pursuant to Section 9400 of the California Vehicle Code.

than light weight aggregates, the more modern equipment can be loaded to its weight carrying capacity before its cubic capacity is reached; especially when sideboards are used.^{2/} The staff proposal to revise the unit of measurement on which hourly rates are computed was discussed with representatives of shippers and carriers. Those interviewed by the staff stated that it would be desirable to base hourly rates on the legal carrying capacity of the vehicle in tons, stated in two-ton increments.

In addition, the record shows that the present rule set forth in MRT 7 governing the method of computing the cubic capacity of dump truck vehicles is inappropriate for use with hopper equipment.^{3/} Said rule contemplates a dump body of relatively uniform inside dimensions; whereas the dimensions of a hopper dump body are irregular, said bodies generally being conical or pear shaped. Thus, the rule cannot be applied uniformly or accurately to hopper dump equipment.

The studies presented by the Commission staff engineer and rate expert develop, for several standard types of dump truck units, comparisons of carrying capacities of such equipment in cubic yards and in tons. These studies show that for apparently similar equipment units there is a wide range of capacities.

^{2/} With respect to light weight materials, the testimony indicates the opposite is true.

^{3/} Note 1, Items Nos. 362 and 366, provides that the "Level Capacity of Dump Truck Body means the cubical content of the body . . . in cubic yards calculated by multiplying the inside length by the average inside width and the average inside height of the sides of the body, including temporary side boards and end boards, if such boards are used"

On December 14, 1966, California Trucking Association (CTA) made a motion that the Commission direct its staff to proceed immediately with the establishment of vehicle legal payload capacity in tons as the unit of measurement for hourly rates in Section 4 of MRT 7 (except light weight aggregates), and that this be done by conversion of the present hourly rates. This motion was concurred in by representatives of California Dump Truck Owners Association (CDTOA) and Associated Independent Owner - Operators, Inc. (AIOOI). The representative of CDTOA presented his recommendations as to relationships of equipment capacities in cubic yards and legal payload in tons which should be used in connection with the sought conversion.

The Commission staff did not specifically oppose the motion, but urged that this proceeding be concluded as soon as possible and that the proposed change in method of computation of hourly rates be adopted concurrently with changes in rate levels and other staff recommendations.

CTA's motion was submitted on December 15, 1966. The Commission has considered the motion and related argument and has concluded that the conversion of the unit of measurement governing the application of hourly dump truck rates, as requested, would be reasonable, and should be done as promptly as possible. The Commission's staff was directed to prepare the data necessary to effect such conversion in connection with the existing hourly rates in MRT 7.

The method followed in relating existing rates based on cubic capacity to rates based on weight carrying capacity is consistent with the method described by the staff rate witness in connection with his explanation of Exhibit 15 in this proceeding.

The rules governing the application of rates are those set forth in Exhibit 15, modified as necessary to eliminate changes proposed by the staff outside the specific areas here under consideration.

The Commission finds that the rates and rules set forth in the tariff pages attached hereto are the just, reasonable and nondiscriminatory minimum hourly rates for the transportation to which they apply. The Commission concludes that MRT 7 should be amended as provided in the order which follows.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 7 (Appendix "A" of Decision No. 32566, as amended) is hereby further amended by incorporating therein, to become effective May 6, 1967, the revised pages as listed in Appendix A also attached hereto and by this reference made a part hereof.

2. In all other respects said Decision No. 32566, 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 28th day of MARCH, 1967.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

APPENDIX A TO DECISION NO. 72223

List of Revised Pages to Minimum Rate Tariff No. 7

Authorized by said Decision

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Fifth Revised Page 3-B

First Revised Page 3-C

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(END OF APPENDIX A LIST)

Nineteenth Revised Page 2
 Cancels
 (1) Eighteenth Revised Page 2
 and
 Seventeenth Revised Page 2

MINIMUM RATE TARIFF NO. 7

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(1) Eighteenth Revised Page 2 was suspended by Supplement No. 22.

ø Change) Decision No. **72223**
 * Addition)

EFFECTIVE MAY 6, 1967

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 1214

Item No.	SECTION NO. 1--RULES AND REGULATIONS
	<p data-bbox="558 402 1090 471">DEFINITION OF TECHNICAL TERMS (Items Nos. 10, 11 and 12)</p> <p data-bbox="297 496 1420 624">*ALLOWED LOAD IN POUNDS means the gross vehicle weight rating in pounds of the dump truck equipment as authorized by subdivisions (b) and (c) of Section 35551 of the California Vehicle Code.</p> <p data-bbox="297 637 1420 777">BATCHING PLANT means an installation (structure and appurtenant storage area) at which the ingredients for the production of concrete are received, stored, weighed, batched and subsequently transported therefrom.</p> <p data-bbox="297 789 1420 904">CARRIER means a radial highway common carrier or a highway contract carrier, as defined in the Highway Carriers' Act, or a carrier, as defined in the City Carriers' Act.</p> <p data-bbox="297 917 1420 1057">COMMERCIAL PRODUCING PLANT means an installation (structure and appurtenant storage area) at which rock, sand, and/or gravel are processed as to size and/or grade and placed in stockpiles or bunkers.</p> <p data-bbox="297 1070 1420 1503">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 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 data-bbox="297 1516 1420 1668">CONCRETE ARTICLE FACTORY means an installation (structure and appurtenant storage area) at which the ingredients of concrete are received, stored, weighed and batched, and concrete articles are manufactured therefrom on the premises.</p> <p data-bbox="297 1681 1420 1770">CONSIGNEE means the person, firm or corporation to whom the property is to be physically delivered by the carrier.</p> <p data-bbox="297 1783 1420 1885">CONSIGNOR means the person, firm or corporation from whom the property was physically received by the carrier for transportation.</p> <p data-bbox="297 1898 1420 2025">DEBTOR means the person assuming responsibility for payment of transportation charges. It also includes an overlying carrier when he utilizes the services of an underlying carrier.</p>

ø10

DISTRIBUTING YARD means an area for storage of rock, sand, gravel, or cold road oil mixture (commonly called "plant mix") in piles, bins, silos or bunkers.

(Continued in Item No. 11)

∅ Change)
* Addition) Decision No. 72223

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Correction No. 1215

Item No.	SECTION NO. 1--RULES AND REGULATIONS
	<p data-bbox="492 392 1242 463" style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Continued) (Items Nos. 10, 11 and 12)</p> <p data-bbox="310 494 1433 698">DRY MIXTURES OF SAND, AND/OR GRAVEL AND/OR CRUSHED STONE (WITH OR WITHOUT CEMENT) IN BATCHES means a shipment of said mixture transported in dump truck equipment provided with one or more batch gates permitting the loading and unloading of a portion or portions of the shipment separately from the other portion or portions of the shipment.</p> <p data-bbox="310 728 1433 1014">DUMP TRUCK EQUIPMENT means any motor vehicle (including component trailing equipment) as defined in the Highway Carriers' Act and City Carriers' Act, which discharges its load by gravity either (a) in conjunction with mechanical means that are an integral part of the vehicle, or (b) by opening all or a portion of the bottom, sides or end, or (c) by combination of (a) and (b). It does not include a motor vehicle engaged in the transportation of concrete mechanically mixed in transit.</p> <p data-bbox="221 1039 1433 1197">ø11 HOT PLANT means a fixed installation for the heating of road oil or asphalt and the mixing of such heated oil or asphalt with rock, sand and any other ingredients to produce cold road oil mixture ("plant mix") or asphaltic concrete ("hot stuff").</p> <p data-bbox="317 1233 1433 1299">*LEGAL PAYLOAD CAPACITY means the allowed load in pounds less the unladen weight of the dump truck equipment.</p> <p data-bbox="317 1330 1433 1508">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. (See Note.)</p> <p data-bbox="317 1544 1433 1635">NOTE.--The term Overlying Carrier also includes an underlying carrier which employs another carrier to perform transportation service.</p> <p data-bbox="317 1671 1433 1824">POINT OF DESTINATION means the precise location at which a shipment is tendered for physical delivery into the custody of the consignee or his agent. It includes all locations within 300 feet of the point at which physical delivery of said shipment is initiated.</p> <p data-bbox="317 1860 1433 2079">POINT OF ORIGIN means the precise location at which a shipment is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single commercial producing plant shall be considered as one point of origin. A single commercial producing plant shall include only contiguous property which shall not be deemed separate if intersected by a public street or streets.</p> <p data-bbox="317 2109 1433 2262">RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from rail cars or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.</p>

RATE includes charge, and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.

(Continued in Item No. 12)

∅ Change) Decision No. 72223
* Addition)

EFFECTIVE MAY 6, 1967

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Correction No. 1216

Item No.	SECTION NO. 1--RULES AND REGULATIONS
<p>ø 12</p>	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10, 11 and 12)</p> <p>SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily transported in an identical type of equipment.</p> <p>SEWAGE DISPOSAL PLANT means a fixed installation in which filtering rock is used for getting rid of sewage.</p> <p>SHIPMENT means a quantity of freight tendered by one consignor on one shipping document at one point of origin for one consignee at one point of destination to be transported at one time in one unit of equipment.</p> <p>SHIPPER means the person, firm or corporation (other than a carrier) who arranges with the carrier for the transportation of the property.</p> <p>TEAM TRACK means a point at which property 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 or tender shipments of property from and to common carriers by vessel.</p> <p>TON means 2,000 pounds.</p> <p>UNDERLYING CARRIER (independent-contractor subhauler) means any carrier who renders service for an overlying carrier (principal carrier), for a specified recompense, for a specified result, under the control of the overlying carrier as to the result of the work only and not as to the means by which such result is accomplished.</p> <p>UNIT OF EQUIPMENT means a truck, a tractor, a trailer, a semitrailer, or any combination of the foregoing operated in a train.</p> <p>*UNLADEN WEIGHT means the weight upon which weight fees for commercial vehicles are paid pursuant to Section 9400 of the California Vehicle Code.</p>
	<p>ø Change) * Addition) Decision No. 72223</p>
	<p style="text-align: center;">EFFECTIVE MAY 6, 1967</p>
	<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 1217</p>

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
	ISSUANCE OF SHIPPING DOCUMENT (Concluded)
	<p>(c) An Hourly Service Freight Bill shall be prepared by the carrier each day for each unit of equipment supplied under the provisions of Section No. 4. This freight bill shall show the following information:</p> <ol style="list-style-type: none"> (1) Date. <ol style="list-style-type: none"> (a) Equipment number and capacity in cubic yards (*in connection with rates in Item No. 367). * (b) Equipment license number (including trailers), allowed weight in pounds, unladen weight and legal payload capacity (in connection with rates in Items Nos. 360, 361 and 365). (3) Name of carrier. (4) Name of underlying carrier (if any). (5) Name of consignor. (6) Address of consignor. (7) Name of debtor if other than consignor. (8) Address of debtor if other than consignor. (9) Name of consignee. (10) Address of consignee. (11) Type of loading at origin. (12) Commodity transported. (13) Time and location driver reported for work. (14) Starting, ending and elapsed time of the running time of the last trip. (15) Starting, ending and elapsed time of the unloading time of the last trip. (16) Over-all time: From time reporting for work to start of last trip plus double the running time of last trip (elapsed time under paragraph 14) plus unloading time of last load (elapsed time under paragraph 15). (17) Any deductions for meals or failure of carrier equipment. (18) Net chargeable time (16 minus 17). (19) Applicable hourly rate. (20) Charges due. (21) Signature of consignor (or agent). (22) Signature of driver. (23) Signature of consignee (or agent). <p>(d) Except as provided in (e) below, the documents issued under (a), (b), and (c) shall be prepared in two or more copies. A copy of each shall be furnished to the shipper, and a copy shall be retained by the carrier, subject to the Commission's inspection for a period of three years from date of issue.</p> <p>(e) If the transportation is performed by an underlying carrier, an additional copy of each document shall be prepared. The completed copy of the Shipping Order and Freight Bill or Hourly Service Freight Bill, showing the transportation actually performed, shall be retained by the underlying carrier for a period of three years from date of issue. The third copy of the Distance Rate Notice shall be available for inspection by the underlying carrier at the time and place of his employment by the overlying carrier.</p>

93.1

φ Change)
* Addition) Decision No. 72223

EFFECTIVE MAY 6, 1967

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San Francisco, California.
Correction No. 1218

Item No.	SECTION NO. 4 - HOURLY RATES
	<p data-bbox="617 413 984 448" style="text-align: center;">APPLICATION OF RATES</p> <p data-bbox="307 473 1414 700">Rates in this Section are Hourly Rates and apply from, to, and between points in California subject to the description of Southern Territory defined in Item No. 100 and Northern Territory defined in Item No. 110. Hourly rates include drivers' and helpers' wages. Hourly rates apply to property, as described in Items Nos. 320*and 321 transported for one shipper in one unit of dump truck equipment.</p> <p data-bbox="419 826 459 856" style="text-align: center;">**</p> <p data-bbox="419 922 459 952" style="text-align: center;">**</p> <p data-bbox="403 1068 1374 1134">3. The application of hourly rates is subject to the following conditions:</p> <p data-bbox="204 1194 261 1265">300</p> <p data-bbox="403 1189 1397 1320">(a) In determining chargeable time, the over-all time shall be: From time reporting for work to start of last trip plus double the running time of last trip plus unloading time of last load.</p> <p data-bbox="403 1401 1447 1597">(b) In determining chargeable time, allowances may be made only for delays caused by failure of carrier equipment or time taken out for meals. Time to be charged shall include time for transportation in both directions, time for loading and unloading and waiting or stand-by time at origin or destination.</p> <p data-bbox="403 1622 1397 1874">(c) In the event that a carrier is released by the shipper from further service and is re-engaged by the same shipper at a point other than the point of such release within the same 24-hour period (computed from 12:01 a.m. on the date the unit of equipment initially reports for service), hourly rates shall be assessed for the traveling time from the point of release to the subsequent origin point.</p>

INTERTERRITORIAL MOVEMENTS

310

(a) Where the movement originates within the Southern Territory of the State and terminates within the Northern Territory of the State, the hourly rates applicable shall be those set forth in Items Nos. 365 and *367 applicable to Southern Territory.

(b) Where the movement originates within the Northern Territory of the State and terminates within the Southern Territory of the State, the hourly rates applicable shall be those set forth in Items Nos. 360, 361*** and *367 applicable to Northern Territory. (Upper or Lower Northern District, based on origin of shipment.)

INTERDISTRICT MOVEMENTS

315

1. Northern Territory is divided into two districts as follows:

(a) Upper Northern District consists of all of the counties which comprise Northern Territory (as defined in Item No. 110) except Kern and San Luis Obispo Counties.

(b) Lower Northern District consists of Kern and San Luis Obispo Counties.

2. When dump truck equipment moves between the two districts named in this item during one day's engagement at hourly rates, the rate applicable shall be that for the district within which the unit of dump truck equipment and driver reported for service pursuant to the shipper's order.

δ Change)
* Addition)
** Paragraphs 1 and 2 Eliminated) Decision No. 72223
*** Reference to Item No. 362)
Eliminated)

EFFECTIVE MAY 6, 1967

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 1219

Cancel

and

Item No.	SECTION NO. 4	HOURLY RATES (Continued)
	COMMODITIES	
	Rates in Items Nos. 360, 361 and 365 apply to the transportation of the following commodities:	
320	Barium, clay or silicate mud compounds, dry, oil-well drilling; Base, cement treated (moist mixture of sand, crushed rock and/or gravel and cement); Clay, *other than burnt or calcined; Clinker, cement; **	Loam; Mill scale; Mixture, cold road oil (commonly called "Plant Mix"); Mud, dry, oilwell drilling; Ore; Perlite rock, crude, not further processed than broken, crushed or ground; Pyrophyllite, crude, in blocks, pieces or slabs, rough quarried; Salt cake (crude sulphate of soda); Sand, *other than burnt shale; Sand, crushed stone and gravel, mixed dry; Shale, *other than burnt, calcined or expanded; Slag, *other than expanded; Slurry (mixed sand, dust, crushed stone and/or gravel, wet); (1) Soapstone, crude, blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides; Stone: Crushed, chips, waste; Natural, blocks, pieces or slabs, rough quarried, or sawed, not further finished; Talc, crude, blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides.
	Concrete, asphaltic (commonly called "Hot Stuff"); ** Concrete, mortar or plaster: ingredients of, in batches, in nylon-corded rubberized bags; (2) Concrete, premixed, wet; Containers, empty, used, viz.: empty, used, nylon-corded rubberized bags being returned from an outbound trip in which they moved containing batches of the ingredients of concrete, mortar or plaster; (2) Cullet (glass, broken or crushed); Dolomite, dead-burned; Earth; Granite, decomposed; Gravel; Gypsum, rock, crude, not further processed than broken or crushed; **	

**

- (1) Applies only in Northern Territory.
- (2) Subject to Column "A" rates when transportation is performed within or from Northern Territory and to Column "C" rates when transportation is performed within or from Southern Territory.

(1) Thirteenth Revised Page 41 was suspended by Supplement No. 22

∅ Change	}	Decision No.	72223
* Addition			
** Eliminated			

EFFECTIVE MAY 6, 1967

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San Francisco, California.
Correction No. 1220

Item No.	SECTION NO. 4	HOURLY RATES (Continued)	
*321	COMMODITIES		
	<p>Rates in Item No. 367 apply to the transportation of the following commodities:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> Ash, volcanic; Cinders; Clay, burnt or calcined; Debris: From street or highway maintenance; From demolition of buildings and structures; Fodder: Chopped green corn and sorghum grain plants, including heads, stalks, and leaves; </td> <td style="vertical-align: top; width: 50%;"> Perlite, expanded; Pumice; Sand, burnt shale; Scoria, volcanic; Shale, burnt, calcined or expanded; Slag, expanded. </td> </tr> </table>		Ash, volcanic; Cinders; Clay, burnt or calcined; Debris: From street or highway maintenance; From demolition of buildings and structures; Fodder: Chopped green corn and sorghum grain plants, including heads, stalks, and leaves;
Ash, volcanic; Cinders; Clay, burnt or calcined; Debris: From street or highway maintenance; From demolition of buildings and structures; Fodder: Chopped green corn and sorghum grain plants, including heads, stalks, and leaves;	Perlite, expanded; Pumice; Sand, burnt shale; Scoria, volcanic; Shale, burnt, calcined or expanded; Slag, expanded.		
* Addition, Decision No. 72223			
EFFECTIVE MAY 6, 1967			
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 1221</p>			

Item No.	SECTION NO. 4--HOURLY RATES (Continued)									
ø360	COMMODITIES, as described in Item No. 320 (Items Nos. 360 and 361). (For Application of Rates see Item No. 362.)									
	NORTHERN TERRITORY (See Item No. 110) (1) Rates in Cents per Hour (See Item No. 300)									
	Upper Northern District (See Item No. 315)									
	Legal Payload Capacity in Tons			Column A			**	Column C		
	Over		But Not Over	M	O	P		M	O	P
	0	8		982	1414	1197		933	1365	1148
	8	10		1044	1487	1264		988	1431	1209
	10	12		1106	1561	1331		1043	1497	1270
	12	14		1167	1634	1399		1098	1564	1331
	14	16		1228	1707	1467		1153	1631	1391
	16	18		1305	1785	1545		1217	1697	1457
	18	20		1382	1863	1622	**	1282	1764	1523
20	22		1428	1913	1670		1322	1807	1564	
22	24		1466	1955	1711		1355	1844	1599	
24	26		1505	1998	1751		1389	1881	1635	
26	28		1543	2040	1791		1422	1919	1670	
28	(2)		37	42	40		33	38	35	
(1) Minimum charge shall be the rate for one hour. (2) Add to the rate for 28 tons the amount shown opposite this reference mark for each additional 2 tons or fraction thereof. (Continued in Item No. 361)										
ø Change ** Column B eliminated) Decision No. 72223										
EFFECTIVE MAY 6, 1967										
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 1222										

Item No.	SECTION NO. 4 - HOURLY RATES (Continued)									
	COMMODITIES, as described in Item No. 320 (Items Nos. 360 and 361). (For Application of Rates see Item No. 362.)									
	NORTHERN TERRITORY (See Item No. 110) (1) Rates in Cents per Hour (See Item No. 300)									
	Lower Northern District (See Item No. 315)									
	Legal Payload Capacity in Tons	Column A			**	Column C				
		Over	But Not Over	M	O	P	M	O	P	
361	0	8	979	1429	1203		920	1370	1144	
	8	10	1031	1482	1256		966	1418	1191	
	10	12	1083	1535	1308		1012	1465	1238	
	12	14	1134	1588	1360		1058	1512	1285	
	14	16	1185	1640	1412		1104	1559	1331	
	16	18	1262	1720	1491	**	1167	1626	1396	
	18	20	1339	1801	1569		1230	1693	1461	
	20	22	1387	1856	1621		1270	1738	1504	
	22	24	1428	1904	1666		1304	1779	1541	
	24	26	1469	1952	1711		1338	1820	1579	
	26	28	1511	2001	1756		1372	1860	1616	
	28	(2)	41	49	45		34	40	37	
	(1) Minimum charge shall be the rate for one hour. (2) Add to the rate for 28 tons the amount shown opposite this reference mark for each additional 2 tons or fraction thereof.									
∅ Change) ** Column B eliminated) Decision No. 72223										
EFFECTIVE MAY 6, 1967										
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 1223										

Item No.	SECTION NO. 4 - HOURLY RATES (Continued)
<p>362</p>	<p style="text-align: center;">APPLICATION OF RATES NAMED IN ITEMS NOS. 360 AND 361</p> <p>COLUMN "A" rates apply where the loading is performed by power loading device, excepting processed sand, gravel or crushed stone in stockpiles at a commercial producing plant, at point of consumption or at intermediate point of transfer. A hopper chute or bunker shall not be deemed to be a power loading device.</p> <p>**</p> <p>COLUMN "C" rates apply where transportation or loading is under conditions other than described under application of Column "A" rates.</p> <p>SUBCOLUMN "M" rates apply on all days except the days on which the subcolumn "O" or "P" rates apply.</p> <p>SUBCOLUMN "O" rates apply on every Sunday and on January 1, February 22, May 30, July 4, (1) September 9, (2) November 11, December 25, the day each year proclaimed by the President of the United States to be celebrated as Labor Day and the day so proclaimed as Thanksgiving Day.</p> <p>(1) Applies within Upper Northern District only. (See Item No. 315)</p> <p>(2) Applies within Lower Northern District only. (See Item No. 315)</p> <p>SUBCOLUMN "P" rates apply on every Saturday.</p> <p>**</p>
	<p> ♂ Change ** Column "B" and Note 1 eliminated </p> <p style="text-align: right;">) Decision No. 72223</p>
<p>EFFECTIVE MAY 6, 1967</p>	
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, San Francisco, California</p> <p>Correction No. 1224</p>	

Item No.	SECTION NO. 4--HOURLY RATES (Continued)				
	COMMODITIES, as described in Item No. 320. (For Application of Rates see Item No. 366)				
	**				

	Legal Payload Capacity in tons	SOUTHERN TERRITORY (See Item No. 100) (1) Rates in Cents Per Hour (See Item No. 300) (See Note 2 in Item No. 366)			
	Over But Not Over	Column A	**	Column C	
ø365	0 8	910		888	
	8 10	956		927	
	10 12	1002		966	
	12 14	1048	**	1005	
	14 16	1093		1043	
	16 18	1153		1098	
	18 20	1214		1153	
	20 22	1275		1209	
	22 24	1336		1264	
	24 26	1385		1319	
	26 28	1428		1374	
	28 (2)	43		55	
	(1) Minimum charge shall be the rate for one hour. (2) Add to the rate for 28 tons, the amount shown opposite this reference mark for each additional 2 tons or fraction thereof.				
	ø Change) ** Column "B" eliminated) *** Explanation of Columns) Decision No. 72223 "A" and "C" transferred) to Item No. 366.)				
EFFECTIVE MAY 6, 1967					
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 1225					

Item No.	SECTION NO. 4 - HOURLY RATES (Continued)
	<p style="text-align: center;">APPLICATION OF RATES NAMED IN ITEM NO. 365</p> <p>COLUMN "A" rates apply where the loading is performed by power loading device, excepting processed sand, gravel or crushed stone in stock piles at a commercial producing plant, at point of consumption or at intermediate point of transfer. A hopper chute or bunker shall not be deemed to be a power loading device.</p> <p>COLUMN "C" rates apply where transportation or loading is under conditions other than described under application of Column "A" rates.</p> <p>**</p> <p>NOTE 2.--(a) For transportation service furnished under this item on Sundays and/or New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, add to the applicable hourly rate shown above: \$5.87 per hour.</p> <p>(b) Except as otherwise provided in paragraph (a) of this note and in the Exception set forth below, for transportation service furnished under this item on Saturdays or during periods in excess of 8 hours in any one shift, add to the applicable hourly rate shown above: \$3.33 per hour. Subject to Paragraph 3 of Item No. 300, "periods in excess of 8 hours in any one shift" means the time which exceeds 8 hours from the time the driver with dump truck equipment reports for service, during which time said driver is continuously engaged by one shipper or overlying carrier, irrespective of the number of loads transported within the period.</p> <p>EXCEPTION.--The additional rates set forth in paragraph (b) shall not apply to transportation service performed on days, other than Saturdays, except when service is performed by one driver with dump truck equipment for a period in excess of 8 hours in any one shift.</p>
ø366	<p>ø Change) ** Note 1 eliminated) Decision No. 72223</p>
EFFECTIVE MAY 6, 1967	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 1226</p>	

Item No.	SECTION NO. 4 - HOURLY RATES (Continued)								
	COMMODITIES, as described in Item No. 321. (For Application of Rates see Item No. 368)								
	Level Capacity of Dump Truck Body in Cubic Yards. (See Note 1 in Item No. 368)		(1) Rates in Cents per Hour (See Item No. 300)						SOUTHERN TERRITORY (See Item No. 100) (See Note 2 in Item No. 368)
			NORTHERN TERRITORY (See Item No. 110)						
	Over	But Not Over	Upper Northern District (See Item No. 315)			Lower Northern District (See Item No. 315)			
			M	O	P	M	O	P	
	0	6	982	1414	1197	979	1429	1203	910
	6	7	1054	1507	1279	1030	1480	1254	953
	7	8	1097	1550	1322	1078	1528	1302	1002
	8	9	1173	1651	1411	1129	1584	1356	1045
	9	10	1217	1695	1455	1173	1628	1400	1083
*367	10	11	1258	1736	1496	1214	1669	1441	1121
	11	12	1297	1775	1535	1253	1708	1480	1169
	12	13	1337	1819	1578	1296	1759	1527	1212
	13	14	1368	1850	1609	1327	1790	1558	1239
	14	15	1397	1879	1638	1354	1817	1585	1266
	15	16	1423	1905	1664	1382	1836	1613	1304
	16	17	1460	1955	1707	1428	1913	1670	1331
	17	18	1490	1985	1737	1458	1943	1700	1358
	18	19	1509	2004	1756	1477	1962	1719	1385
	19	20	1526	2021	1773	1492	1979	1736	1412
	20	21	1543	2038	1790	1509	1996	1753	1439
	21	22	1560	2055	1807	1526	2013	1770	1466
	22	23	1577	2072	1824	1543	2030	1787	1493
	23	24	1594	2089	1841	1560	2047	1804	1520
	24	25	1611	2106	1858	1577	2064	1821	1547
	25	26	1628	2123	1875	1617	2127	1873	1597
	26	(2)	17	17	17	17	17	17	27
(1) Minimum charge shall be the rate for one hour.									
(2) Add to the rate for 26 cubic yard capacity, the amount shown opposite this reference mark for each additional cubic yard or fraction thereof.									
* Addition, Decision No. 72223									
EFFECTIVE MAY 6, 1967									
Issued by the Public Utilities Commission of the State of California, San Francisco, California.									
Correction No. 1227									

Item No.	SECTION NO. 4 - HOURLY RATES (Concluded)
*368	<p style="text-align: center;">APPLICATION OF RATES NAMED IN ITEM NO. 367</p> <p>SUBCOLUMN "M" rates apply on all days except the days on which the subcolumn "O" or "P" rates apply.</p> <p>SUBCOLUMN "O" rates apply on every Sunday and on January 1, February 22, May 30, July 4, (1)September 9, (2)November 11, December 25, the day each year proclaimed by the President of the United States to be celebrated as Labor Day and the day so proclaimed as Thanksgiving Day.</p> <p>(1) Applies within Upper Northern District only. (See Item No. 315)</p> <p>(2) Applies within Lower Northern District only. (See Item No. 315)</p> <p>SUBCOLUMN "P" rates apply on every Saturday.</p> <p>NOTE 1.--Level capacity of Dump Truck body means the cubical content of the body (including the bodies of all trailers, or semitrailers in the unit of equipment) in cubic yards calculated by multiplying the inside length by the average inside width and the average inside height of the sides of the body, including temporary side boards and end boards, if such boards are used, with no allowance for the crown of the load or for low head board or low tail gate.</p> <p>In the case of a Dump Truck body not constructed for use of a tailgate (such as the so-called "rock body"), the inside length shall be deemed to mean the average of the measurement along the top of the sides from the inside of the head board to the point of the angle where the sides are diverted downward to meet the floor, and the measurement along the floor from the inside of the head board to the end of the body.</p> <p>NOTE 2.--(a) For transportation service furnished under this item on Sundays and/or New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, add to the applicable hourly rate shown above: \$5.87 per hour when the level capacity is less than 25 cubic yards; \$6.33 per hour when the level capacity is 25 cubic yards or more.</p> <p>(b) Except as otherwise provided in paragraph (a) of this note and in the Exception set forth below, for transportation service furnished under this item on Saturdays or during periods in excess of 8 hours in any one shift, add to the applicable hourly rate shown above: \$3.33 per hour when the level capacity is less than 25 cubic yards; or \$3.68 per hour when the level capacity is 25 cubic yards or more.</p>

Subject to Paragraph 3 of Item No. 300, "periods in excess of 8 hours in any one shift" means the time which exceeds 8 hours from the time the driver with dump truck equipment reports for service, during which time said driver is continuously engaged by one shipper or overlying carrier, irrespective of the number of loads transported within the period.

EXCEPTION.--The additional rates set forth in paragraph (b) shall not apply to transportation service performed on days, other than Saturdays, except when service is performed by one driver with dump truck equipment for a period in excess of 8 hours in any one shift.

* Addition, Decision No. **72223**

EFFECTIVE MAY 6, 1967

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 1228

SECTION NO. 5--FORMS OF SHIPPING DOCUMENTS

Item No. 375

HOURLY SERVICE FREIGHT BILL
(For use in connection
with transportation under Section No. 4)

Date _____ Bill No. _____

Truck No. _____ Permit No. _____

Level Capacity of Body _____ cubic yards

Truck or Tractor License No. _____ Trailer License No. _____

Allowed Load in Pounds _____

Unladen Weight in Pounds _____

Legal Payload Capacity _____

NAME OF CARRIER _____
(Name of carrier must be the same as shown on permit)

NAME OF UNDERLYING CARRIER (if any) _____

NAME OF CONSIGNOR _____

ADDRESS OF CONSIGNOR _____

NAME OF DEBTOR (if other than consignor) _____

ADDRESS OF DEBTOR (if other than consignor) _____

NAME OF CONSIGNEE _____

ADDRESS OF CONSIGNEE _____

Type of Loading at Origin _____

Commodity Transported _____

Time Driver Reported for Work _____

Location at Which Driver Reported to Work _____

a. Starting Time of Last Trip _____
Ending Time of Last Trip _____
Elapsed Time of the Running
Time of the Last Trip _____

c. Over-all Time _____
(From time reporting for work
to start of last trip plus
double the running time of last
trip (elapsed time under
Paragraph a) plus unloading
time of last load (elapsed
time under Paragraph b).

b. Starting Time of the Unloading
of the Last Trip _____
Ending Time of the Unloading of
the Last Trip _____
Elapsed Time of the Unloading Time
of the Last Trip _____

d. Deductible Time for Meals or
Failure of Carrier Equip-
ment _____

e. Net Chargeable Time _____
(Paragraph c minus Paragraph d)

Applicable Hourly Rate _____

Charges Due _____

SIGNATURE OF CONSIGNOR (or agent)

DRIVER'S SIGNATURE

SIGNATURE OF CONSIGNEE (or agent)

Change, Decision No. **72223**

EFFECTIVE MAY 6, 1967

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

Correction No. 1229

APPENDIX B

APPEARANCES IN CASE NO. 5437,
ORDER SETTING HEARING DATED MARCH 22, 1966

Respondents

Edward L. Allen, for Heidelbaugh Transportation Co.; Dana Exum, for Miles & Sons Trucking Service; Fred Godwin, in his own behalf; Edwin F. Holland, in his own behalf; Charles F. Gagliasso, for Charles F. Gagliasso Trucking, Inc.; Bertha Payan, for Payan Trucking Inc.; and Don D. Tobey, for Dispatch Trucking.

Interested Parties

E. O. Blackman, for California Dump Truck Owners Association; E. J. Dunne, by Allen Paulsen and W. J. Haener, for Shell Oil Company; Brundage & Hackler, by Daniel Feins, for Western Conference of Teamsters; G. Ralph Grago, for Associated Independent Owner-Operators, Inc.; David K. Graham and A. E. Ferre, for Kaiser Cement and Gypsum Corp.; Fred Imhoff, for Southern California Rock Products Association; William R. Kinnaird, for American Transfer Co.; Frank Loughran and Edward J. Hegarty, for Tariff No. 7 Committee; Harry C. Phelan, for California Asphalt Plant Association; George H. Roe, for California Portland Cement Co.; Richard W. Smith, H. F. Kollmyer and J. C. Kaspar, for California Trucking Association; William R. Walker, for San Diego Rock Producers Association; W. F. Webster, for Rodeffer Industries, Inc.; E. J. Bertana, for Pacific Cement & Aggregates; Arnold Arbott, for Kaiser Sand & Gravel; C. R. Rehbock, by William F. Robertson, for California Fertilizer Association.

Commission Staff

R. A. Lubich, Robert E. Walker, Dale R. Whitehead, and R. J. Carberry.