

Decision No. 72418

**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 any and all  
commodities between and within all  
points and places in the State of  
California (including, but not  
limited to, transportation for  
which rates are provided in Minimum  
Rate Tariff No. 2).

Case No. 5432  
(Order Setting Hearing  
Dated October 13, 1965)

And Related Matters.

Cases Nos. 5330,  
5433, 5435, 5439,  
5441, 5603, 7783

(Appearances are listed in Appendix A)

O P I N I O N

These proceedings concern the establishment of minimum rates for the transportation of trailer coaches and portable campers. Public hearings were held and Examiner Thompson issued and filed his proposed report on August 25, 1966. Exceptions and replies were filed.<sup>1/</sup>

On November 2, 1966, Trailer Coach Association, an interested party, moved that the record be opened to receive the latest rulings of the California Division of Highways regarding the towing of trailers with widths exceeding 10 feet 4 inches over the public highways, and to receive a supplemental statement by Trailer Coach Association.

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<sup>1/</sup> Exceptions were due October 3, 1966, and replies were due October 19, 1966.

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On November 9, 1966, respondents Morgan Drive Away, Inc., et al., replied to the motion, stating that such rulings should be considered by the Commission in its determinations herein. On November 14, 1966, ABC Towing of Salinas, a respondent, in its reply to the motion, opposed any delay to a decision being issued by the Commission.

The latest rulings referred to are set forth in Division of Highways' Circular Letter No. 66-205, dated October 5, 1966, and signed by J. C. Womack, State Highway Engineer. A copy of the circular letter was provided the Commission, and served upon all parties of record, by Morgan Drive Away, Inc., with its letter to the Commission dated October 26, 1966. Appendix A to the motion of Trailer Coach Association is a copy of a letter addressed to it from J. C. Womack, dated October 6, 1966, setting forth an explanation of the circular letter and containing a map on which the network of highways referred to in the circular letter are marked. A copy of this letter was served upon all parties of record by Trailer Coach Association.

We find that the rulings of the Division of Highways are material to the determination of just, reasonable and nondiscriminatory minimum rates for the transportation of trailer coaches and conclude that submission of these proceedings should be, and is, set aside for the purpose of receiving said rulings in evidence.

The copy of Circular Letter No. 66-205 of the Division of Highways is received in evidence as Exhibit 5. The copy of the letter dated October 6, 1966 addressed to Trailer Coach Association by J. C. Womack, State Highway Engineer, together with the map attached to said letter, is received in evidence as Exhibit 6.

The supplemental statement contained in Trailer Coach Association's motion is received as a supplement to its exceptions to the proposed report. The statement of Morgan Drive Away, Inc., in its reply to the motion is received as a supplement to its reply to the exceptions. The matters are taken under submission and are ready for decision.

The examiner recommends that minimum rates be established. His proposed rates and rules are similar to, but not the same as, those recommended by the Commission staff. The proposed report is lengthy, consisting of 54 pages and three appendices. A summary of the proposed findings and conclusions would also be lengthy and is unnecessary herein.

Trailer Coach Association, hereinafter called Association, filed exceptions to the report in which it is asserted that certain of the findings and conclusions are not supported by the evidence. Those findings and conclusions relate to the following subjects:

1. The cost estimates found to be reasonable.
2. The need for the establishment of minimum rates.
3. The proposed rates for hauling 12-wides.
4. The proposed rates for towing 12-wides.
5. The provisions concerning released valuation.
6. The proposed rates for tire or tube repair.
7. The proposed rate for escort service.
8. The proposed charges for trip permits.

Respondents Morgan Drive Away, Inc., et al., hereinafter called Morgan, and the Commission's staff, hereinafter called Staff, replied to those exceptions.

Golden State Trailer Transport, Inc., took exception to the findings and conclusions concerning the cost estimates, the proposed rates for transportation and the released valuation.

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Staff filed exceptions concerning the rates proposed for the hauling of trailers for distances not exceeding 25 miles and to the rates proposed for special services. Association and Morgan replied to said exceptions.

We shall consider the exceptions in discussing the subjects with which they are concerned.

Should Minimum Rates Be Established?

Section 3662 of the Public Utilities Code provides, in part:

"The commission shall, upon complaint or upon its own initiative without complaint, establish or approve just, reasonable, and nondiscriminatory maximum or minimum or maximum and minimum rates to be charged by any highway permit carrier for the transportation of property and for accessorial service performed by it."

Association contends that the history of the proceedings does not indicate the need for the establishment of minimum rates without further consideration.

The history of these proceedings discloses: In August 1960, several for-hire carriers petitioned the Commission to establish minimum rates for the transportation of trailer coaches (Case No. 5432, Petition No. 197). The petition was supplemented by amendment in March 1961 and thereafter six days of hearing were held in which Association participated. The matter was taken under submission on June 12, 1962 and Decision No. 55919 was issued August 20, 1963 (61 Cal.P.U.C. 378). In its decision the Commission found that minimum rates are necessary for the stability of the transportation of trailer coaches but that the evidence in that proceeding did not provide a basis upon which the Commission could determine the just, reasonable and nondiscriminatory minimum rates for the services involved. It denied the petition and directed

Staff to undertake the preparation of studies, including the analyses of costs of providing the services, for presentation at a public hearing. The record in the instant proceeding discloses that pursuant to that directive a transportation engineer and a transportation rate expert of Staff initiated studies and surveys in October 1964. The transcript discloses that the staff representatives in the course of their survey had several meetings and discussions with members and representatives of Association at their out-of-State offices and at Los Angeles. On October 13, 1965 the Commission ordered that hearings be held to receive evidence in this matter. On December 3, 1965 there was mailed to some 1,000 parties, including Association, copies of the reports of the staff members concerning their studies and surveys. On January 17, 1966 at a hearing held in Los Angeles the transportation engineer testified concerning his survey and his report was received in evidence as Exhibit 1. He stated the procedure he followed in conducting the survey and related the bases of his estimates of the cost of performing various services. Association did not cross-examine this witness. Following this witness, the rate expert of Staff testified concerning his survey and presented the reports of his studies (Exhibits 2, 3 and 4). Association cross-examined this witness. Representatives of twelve carrier respondents testified. Every one of them was concerned with one or more particular aspects of the rates and rules proposed by the rate expert. None of them opposed the establishment of minimum rates; their testimony shows that all of them favored the establishment of minimum rates as quickly as possible, and seven of them testified that in their opinions the establishment of minimum rates is necessary for their industry. Two of these witnesses were cross-

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examined by Association. Following the taking of evidence, at the request of Association the parties were authorized to file written statements as argument within thirty days. On February 15, 1966, at the request of Association, the time within which to file argument was extended to thirty days after the filing of the official transcripts in these proceedings. Association filed its statement, consisting of 47 pages and 2 appendices, on April 8, 1966. On that same date it filed a petition for a proposed report by the presiding examiner. That petition was granted by the Commission on April 26, 1966. The examiner filed his proposed report on August 25, 1966. Due date for exceptions was September 19, 1966. At the request of Association on September 15, 1966 the time for filing exceptions and replies was extended to October 3 and October 19, 1966, respectively. On November 2, 1966 Association filed its motion referred to hereinabove.

In Decision No. 65919 the Commission found that the establishment of minimum rates is necessary to provide stability in the transportation of trailer coaches. The record in this proceeding overwhelmingly supports that finding. It is noticed that until Association filed its exceptions, no party during any part of these proceedings (or in the proceedings in Petition No. 197) opposed the establishment of minimum rates for this transportation. In its statement of argument filed after the hearings, Association made issues only of the transportation rates for 12-wide trailers, the rates for special services and certain rates and rules pertaining to accessorial services. Its exception to the establishment of minimum rates is summarized in its argument, "Since acceptance of the Staff's recommended rates (even as modified by the Presiding Examiner) will bring about increases in

minimum rates of over 100% in a number of instances, there is considerable doubt whether the Commission should proceed imposing this new set of minimum rate circumstances on the existing industry with further consideration of the consequences which will inevitably ensue."

What "will inevitably ensue" will be that in a number of instances many carriers will be required to charge rates higher than the rates that they have sometimes charged in the past. That is, after all, the inevitable result when minimum rates are established so as to prevent consistent rate-cutting from destroying an industry. It is the purpose of establishing minimum rates. Association's statement quoted above implies that the rates proposed by Staff, and those modified by the examiner, in almost all cases would result in substantial increases in rates of around 100 percent. That is not the case. The exception is overruled.

Reasonableness of Cost Estimates

Association and Golden State Trailer Transport, Inc., assert that the estimates made by the engineer of Staff of the cost of performing the transportation services are based wholly upon the experiences of three carriers (designated by them as the Big Three) and are not typical of the costs experienced by other for-hire carriers engaged in transporting trailer coaches. Except for the estimates of indirect expense involved in the hauling of 12-wides, the examiner adopted the engineer's estimates. The record discloses that the assertion is not true. The uncontroverted testimony of the engineer is that he interviewed carriers, reviewed their records, and made field observations of various hauling and towing operations throughout the entire State, including the northern part of California as well as southern California; his estimates of

performance factors were based upon those interviews and observations as well as over 500 individual trip reports submitted by carriers on forms which he had distributed to about 150 carriers; his estimates of fixed expenses or equipment costs were based upon reliable information from over 70 different operators; for his estimates of running costs per mile for towing operations he had information from 63 different operators who were engaged primarily in the initial movement of trailers and 34 others also engaged in the towing of trailers; his estimates of the cost of repairs and servicing of equipment used in towing operations were based upon information obtained from 35 independent California operators and from 9 operators who transported trailers under lease agreements for one large carrier; the estimated fuel costs for towing were based upon information from 63 independent operators in California and 34 other carriers performing transportation for other carriers under lease agreements.

In its exceptions to the proposed findings and conclusions concerning the rates for the hauling of 12-wides, Association also assails the engineer's estimates, stating:

"Thus, the Presiding Examiner's Proposed Report does not advert at all to the fact that only 1-1/2 pages of explanation cover the Commission Staff witness' entire 12 Wide haulaway cost study (Jenkins, Tr. 32-33), or that the entire 12 Wide 'secondary movement' cost study is based on only 5 job trip reports (Staff witness Jenkins workpapers). ....

"All of these unanswered objections, set forth by the Trailer Coach Association's Statement (pp. 27-39) are reiterated for the Commission's attention."

Perhaps the examiner did not advert to those assertions because they are not true. The transcript citation refers to a portion of the witness' explanation of the format of Exhibit 1, namely the tables set forth in the exhibit summarizing his estimates



of the costs of providing particular services. This particular portion refers to Tables 7 and 8. The explanation of Table 7 (costs of hauling 12-wides in initial movement) covers 27 lines of transcript and Table 8 (12-wides, secondary movement) covers 10 lines. Using the same frame of reference as that used by Association, one might state that the witness' explanation of his estimates of the costs of towing 10-wides is set forth in only 17 lines of transcript in the case of initial movement and 3 lines in the case of secondary movement. Whether only 5 of the 150 trip reports cover the hauling of 12-wides in secondary movement is not in the record. It is clear, however, that the bases of the engineer's estimates of the costs of performing that transportation involved more than a consideration of the trip reports, regardless of the number involved. As already mentioned hereinabove the trip reports were used to supplement the engineer's own observation and the information he obtained from interviews in estimating only one factor of the costs, namely the amount of work performed within a given time. It should also be noted that Association did not avail itself of the opportunity to cross-examine the witness nor did it interpose any objection to the qualifications of the witness to offer his opinion as an expert. The exceptions are overruled.

Rates for Hauling 12-Wides

Association contends that the recent ruling of the Division of Highways which permits the towing of 12-wides will result in there being no future movements of said trailers by hauling methods. It asserts that the proposed rates are obsolete in that future movements of 12-wides will be by towing methods. It is a reasonable assumption that if the rates for hauling a trailer coach are higher than those for towing the same trailer coach the shipper will decide to have it towed. If, on the other

hand, minimum rates are established for towing and not for hauling of trailer coaches, the destructive competition prevailing in the industry could cause a resurgence of a demand for the hauling of trailer coaches. We have overruled the exceptions to the proposed findings regarding the estimated costs of hauling 12-wides. We find that the estimated costs set forth in the proposed report are reasonable. We further find that the hauling of trailer coaches at rates lower than rates which would be reflective of these costs would be unjust, unreasonable and discriminatory and that although the higher rate may divert traffic from hauling methods to towing methods, the establishment of minimum rates for the hauling of trailer coaches is necessary to the application and enforcement of the minimum rates for transporting trailer coaches. The exception is overruled.

Staff contends that the rates proposed for hauling 12-wides for distances not exceeding 25 miles will not be compensatory. It points out that the cost estimates for distances under thirty constructive miles do not include any factor for diverse routings and that the evidence shows that the actual movement of trailers within certain metropolitan areas far exceeds the constructive mileage between origin and destination. The record discloses that such circumstance prevails particularly in areas in Los Angeles, Orange and San Diego Counties. It results from the fact that the constructive mileages set forth in Distance Table No. 5 for movements in those areas are computed via the major freeways and the use of those freeways is precluded to the hauling of 12-wides. In addition, local authorities in said counties have undertaken to restrict the use of their streets and roads by requiring a permit to transport the loads, and designating

particular routings through the areas as well as times of day when movement may be made. By reason of the fact that virtually all of the manufacturers of 12-wide trailers are located in the Los Angeles Basin, the movement of those trailers from manufacturer to dealer ordinarily requires a longer routing than the routings considered in establishing the constructive mileages. Exhibit 2 discloses that 41 percent of the movement of 12-wides in initial hauling and 40.4 percent of the movement of 12-wides in secondary hauling were for distances not exceeding 25 miles.

It is true that diverse routings caused by regulation of the use of the highways, roads and streets have a substantial impact upon the cost of hauling 12-wides. That circumstance is almost always encountered in the initial movement from a manufacturer to a dealer. It does not appear to occur as frequently in the case of secondary movements. The finding by the examiner that many dealers own tractors which they use to deliver a trailer to a customer implies that there are other dealers who employ carriers to perform that transportation. The movement of a trailer to or from a dealer's place of business would be subject to the minimum rates for initial movements. The evidence discloses that there are many trailer parks and dealers' places of business not within areas where transportation for distances of 25 miles would be required by State or local authorities to be performed over routes other than the direct routes. The evidence also indicates that except for the movement of trailers from the manufacturer to the dealer, the traffic enjoyed by the carriers has origins in areas near their respective places of business. In other words, a carrier with place of business in Oroville would not be likely to transport a trailer for a distance of 25 miles in the San Francisco Bay area, or within Los Angeles,

Orange or San Diego Counties. It is very unlikely that carriers located outside of those areas would ever be confronted with diverse routings for shipments transported 25 miles or less. While a substantial amount of the traffic moving 25 miles or less is subject to diverse routing, and hence additional cost, it does not appear that such traffic is shared by the majority of carriers nor is it necessarily tendered by the majority of shippers. In the circumstances it does not appear to be appropriate to adopt Staff's recommendation. The exception is overruled.

Rates for Towing 12-Wides

As hereinbefore stated, the towing of 12-wides was not permitted until March 28, 1966, which was subsequent to the hearings in this matter. The examiner proposed rates for towing 12-wides which he found would reflect transportation conditions that would prevail under the March 28, 1966 ruling of the Division of Highways. That ruling provided that 12-wides may be towed subject to the same restrictions and limitations prescribed for the hauling of 12-wides. On October 5, 1966, subsequent to the issuance of the proposed report, the Division of Highways revised its rules regarding the towing of 12-wides. All of the parties agree that the revised ruling would have an effect upon the conditions under which 12-wides may be towed. It is the position of Association that because there has been no experience in the towing of 12-wides under current conditions and because the record herein does not contain the costs experienced by carriers in the towing of 12-wides the Commission may not establish minimum rates for such transportation. It is the position of Staff that the rates proposed for towing 10-wides would be suitable for the towing of 12-wides. Morgan takes the position that the rates proposed by the examiner for towing 12-wides would

be suitable except to the extent that such rates do not reflect diverse routings for distances of 25 miles or less.

Section 3662 of the Public Utilities Code provides:

"In establishing or approving such [minimum] rates the commission shall give due consideration to the cost of all of the transportation services performed, including length of haul, any additional transportation service performed, or to be performed, to, from, or beyond the regularly established termini of common carriers or of any accessorial service, the value of the commodity transported, and the value of the facility reasonably necessary to perform the transportation service."

In considering the cost of the transportation services performed, the Commission estimates the costs that would be incurred by a reasonably efficient carrier, of the class of carrier involved, in performing the various services.

Decisions in other minimum rate proceedings have related the procedures in cost finding followed by the Commission. In view of the fact that almost all of the carriers engaged in the transportation of trailer coaches have not heretofore been subject to any rate regulation by the Commission, it is appropriate to show how cost estimates are developed for the purpose of establishing minimum rates generally and for minimum rates on trailer coaches in particular.

It must be recognized, first of all, that it would be very unusual, if not a happenstance, for any two carriers to experience identical expenses per revenue mile. Not only do the efficiencies and economic circumstances among individual carriers vary widely, but also there is a wide variation in conditions of tender, movement and delivery among individual shipments. Secondly, it must be remembered that in this proceeding it is contemplated that there may be established a structure of minimum reasonable rates applicable to all highway permit carriers for the

transportation of all trailers of a particular class between all points in the State of California at all times, rather than the determination of a reasonable rate for a particular carrier for the transportation of a particular trailer from a particular consignor to a particular consignee at a specified time on a particular date. Thirdly, consideration must be given to the fact that transportation is dynamic rather than static in that there are variations in conditions from day to day. Fourth, and most important, the minimum rates established by the Commission must be consistent with the purposes of such rates. <sup>2/</sup>

As hereinbefore stated, in minimum rate making the Commission considers the costs of performing the services that would be incurred by a reasonably efficient carrier. Those costs are developed by a synthesis of estimates of certain cost factors based upon assumptions. Such assumptions include: The carrier is engaged principally in the transportation of the particular commodities between all points which will be covered by the rates; it will transport a typical cross-section of all of such commodities along the routes ordinarily used by carriers actually engaged in the transportation; in performing the services it will utilize

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<sup>2/</sup> Section 3502 of the Public Utilities Code reads, in part:

"...It is the purpose of this chapter to preserve for the public the full benefit and use of public highways consistent with the needs of commerce without unnecessary congestion or wear and tear upon such highways; to secure to the people just and reasonable rates for transportation by carriers operating upon such highways; and to secure full and unrestricted flow of traffic by motor carriers over such highways which will adequately meet reasonable public demands by providing for the regulation of rates of all transportation agencies so that adequate and dependable service by all necessary transportation agencies shall be maintained and the full use of the highways preserved to the public. ...."

equipment actually used by the carriers and which is typical and best suited for providing the particular service; it is in a favorable (although not necessarily the most favorable) bargaining position to purchase equipment, materials, supplies and services; it enjoys sufficient traffic so as to have reasonably efficient utilization of its equipment (this is called use factor); it is reasonably situated with respect to the traffic it handles; its administrative expenses would be typical for a carrier having the utilization of equipment assumed; it obeys all laws and regulations; and it must compete in the same labor market as other carriers actually engaged in such transportation.

The examiner proposes the adoption of the estimates of the costs of towing 10-wides prepared by the engineer. He also proposes a structure of minimum rates for the towing of 12-wides based upon the engineer's estimates of the costs of towing 10-wides. Staff suggests making the proposed rates for the towing of 10-wides applicable to the towing of 12-wides, presumably based upon a premise that the transportation conditions for the towing of 12-wides are substantially the same as, or similar to, the towing of 10-wides. To determine whether the cost estimates for 10-wide towing are reasonable with respect to 12-wide towing, the assumptions made by the engineer for 10-wide towing must be examined to determine whether they are valid with regard to 12-wide towing.

The engineer assumed that the more efficient unit of equipment utilized by carriers for towing 10-wides is a two-axle, gasoline-engined, truck chassis which has been modified for this type of service and which has a ball-type hitch. He assumed that the unit would have a service life of six years. Those assumptions appear to be valid for the towing of 12-wides. The evidence

discloses that the typical power unit assumed for hauling 12-wides has approximately the same horsepower rating as the 10-wide towing unit. The engineer testified that the main difference between the units is that the hauling unit has a fifth wheel, as well as a ball hitch, which is used to couple the low-boy trailer. The engineer assumed the same use factor, namely 1,800 hours, for towing equipment as for tractors used in hauling 12-wides. No one disputed the assumptions as being reasonable for such services. In view of the fact that the recent rulings of the Division of Highways merely permits trailers to be towed that theretofore had to be hauled, an annual use factor of 1,800 hours for the towing of 12-wides is a reasonable assumption. In the circumstances, the total fixed and depreciation expense per hour estimated by the engineer for towing operations, and shown on Table 1 of Exhibit 1, is reasonable for consideration in the establishment of minimum rates for towing 12-wides.

The engineer estimated a running cost of \$.0765 per actual mile for the equipment used in towing operations and \$.0947 per actual mile for the tractor hauling 12-wides. The examiner utilized the latter figure in developing his estimates of the costs of towing 12-wides. His reasons are set forth in the proposed report. Running costs are expenses for fuel, oil, tires, repairs and maintenance. In view of the fact that carriers engaged in towing 10-wides may also tow 12-wides it may be assumed that the reasonably efficient carrier may perform both operations so that the unit prices that he pays for fuel, oil, tires, repairs and maintenance are no different with respect to the towing of 10-wides as for 12-wides. Any difference in the running costs, therefore, has to be predicated upon some differences in fuel consumption or



wear and tear resulting from the nature of the shipments transported. The 12-wides are larger vehicles than are the 10-wides. The difference in the bulks of the trailers being towed might cause a difference in fuel consumption because of the greater wind resistance of the larger bulk. The record discloses that trailers of the same sizes but of different makes vary widely with respect to weight. As pointed out by the examiner, the evidence discloses that the normal length of a 12-wide is 60 feet, whereas the usual length of the 10-wide is 55 feet. Additionally, the evidence discloses that twin-wides are more often of the 10-foot width category rather than of the 12-foot width types. The record supports the finding of the examiner that 12-wides are typically heavier in weight than 10-wides. It is well known that increases in weights of loads transported result in increases in running costs. This record, however, does not support the finding by the examiner that the estimates of running costs for operating a tractor in hauling a trailer would be appropriate for operations in towing a trailer. The estimate by the engineer assumes that the low-boy trailer utilized in the hauling operation would weigh 7,000 pounds. It would appear that amount of weight would greatly exceed the difference in the weights of a typical 12-wide over a typical 10-wide.

In order to set forth his estimates of the costs of towing 10-wides in terms of constructive miles, the engineer converted his estimate of running costs for towing in terms of cents per constructive mile (\$.0765 per actual mile equals \$.0695 per constructive mile). Utilizing the same formula for conversion, the estimated running cost of \$.0947 per actual mile for the tractor in hauling operations becomes approximately \$.086 per constructive mile. The difference in the estimated running costs, therefore, is

approximately 1.6 cents. Considering the fact that the weight of the low-boy trailer probably has a larger effect upon the difference in the running costs, it is reasonable to assume that the difference in the running costs for towing a 12-wide under given circumstances from that of towing a 10-wide under the same circumstances would not exceed 1 cent per constructive mile. Such difference in a 50-mile haul would result in a difference in cost of 50 cents. The record discloses that over 65 percent of the initial movements of 12-wides and over 72 percent of the 12-wides' secondary movements are for distances of less than 50 miles. In the circumstances, the difference in running costs loses significance.

Labor expense and indirect expense are two other factors in the cost estimates. In view of the fact that the same carriers may tow 12-wides as well as 10-wides, the utilization of the same labor expense and indirect expense for estimating the costs of towing 12-wides as those used for estimating the costs of towing 10-wides is appropriate here.

Performance factors are applied to the above-named four categories of expense (vehicle fixed expense, running costs, labor expense and indirect expense) to arrive at estimates of the costs of towing trailers for various distances. Those factors include: speed and distance traveled loaded, speed and distance traveled empty, time required for pickup and delivery, nonproductive miles and time (for such things as fueling and to get from the carrier's place of business onto the route traversed between origin and destination), and load factor.

Exhibits 5 and 6 set forth the general policy of the Division of Highways with respect to the towing of 12-wides over State highways. Those exhibits show that the State Highway Engineer

has designated a network of highways for through movement of 12-wide trailers. This network can best be described as a north-south axis with laterals extending east and west. The axis is in the central part of the State and extends from the northern border to Sacramento via U. S. 99W, thence to Bakersfield on U. S. 99, thence via State Highway 58 to U. S. 395 and thence either via U. S. 395 to San Diego or via Interstate Highway 10 and State Highway 86 to Calexico. The only segment of Highway U. S. 101 on the network extends from Arroyo Grande to Santa Monica, and from Coyote to Gilroy. Points on said highway served by laterals include Arcata, Calpella, Santa Rosa, Prunedale, Paso Robles and San Diego. The movement of 12-wides over public highways requires a special trip permit. Pertinent portions of the instructions given by the State Highway Engineer to District Engineers concerning the issuance of such permits are set forth in the margin.<sup>3/</sup>

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<sup>3/</sup> "Effective this date permits may be issued to licensed and bonded manufacturers, dealers and transporters for hauling these trailers [12-wides] over the established network on their own wheels with no limitation as to travel distance. The indicated routes provide for through travel from one area of the State to another. The permit may allow travel on additional State highways tributary to the arterial network as necessary to reach the actual point of origin or destination. Where travel on State highways would present an undue hazard to other traffic, as on roads of lower standards or high traffic metropolitan freeways, it may be necessary for the permittee to obtain permission from the local jurisdiction for the use of alternate city or county routes. Where a conventional State highway is available in metropolitan areas, it should be utilized, unless there are compelling reasons otherwise, to preclude the need for numerous city and county permits for the movement on local streets.

"Only single trip permits will be issued, subject to the provisions established in the California Vehicle Code for the movement of 10-foot wide trailer coaches."

In prescribing routings for movements under special trip permits to or from origin and destination points off of the aforementioned network and in determining routings through the metropolitan areas, the District Engineers will necessarily have to interpret and augment the policy set forth in the instructions of the State Highway Engineer. It seems clear, however, that the District Engineers are instructed to route permit shipments via the prescribed network. A shipment of a 12-wide to be towed from Monterey to Santa Barbara (both points on the network) would be required to be routed via San Juan Bautista, Hollister, Madera, Castaic Junction, and Santa Paula; a distance of 439 constructive miles. Distance Table No. 5 provides for a short-line distance from Monterey to Santa Barbara (presumably via Highway U. S. 101) of 264 constructive miles. The routing via the network exceeds the short-line distance by 175 constructive miles. This is only one illustration of circuitous routing that may be involved because of regulations of the Division of Highways. The prescribed network does not include any highways within the San Francisco Bay Area or the Los Angeles Area. The District Engineers are authorized to use their discretion in such areas to route shipments via acceptable conventional highways. It is readily apparent that authorized routings from Redwood City to Vallejo or from Santa Barbara to Newport Beach would not be the short-line routes designated in Distance Table No. 5.

In developing his estimates of the costs of a reasonably efficient carrier towing 10-wides between points in California, the engineer assumed that the shipments would move via the short-line routes designated in Distance Table No. 5. To the extent that routings designated on the special trip permits do not coincide with

the routings which are the bases of the constructive mileages in Distance Table No. 5 that assumption is not valid.

The instructions to the District Engineers state that conditions (others than routes) imposed in the special trip permits for towing 12-wides shall be the same as provisions established in the Vehicle Code for the movement of 10-wides. Under those circumstances, the performance factor of the speeds of towing 10-wides for various distances should also be appropriate for the towing of 12-wides. The carriers and the tractors involved in towing 12-wides are the same as those engaged in the towing of 10-wides, therefore the use of the performance factors of speeds when returning without loads, nonproductive time, and pickup and delivery time that are appropriate for 10-wide towing would also appear to be appropriate for 12-wide towing.

Except for the estimated running costs and the use of short-line routings, the assumptions made by the engineer in estimating the costs of towing 10-wides appear to be appropriate for estimating the costs of towing 12-wides. As hereinbefore stated, whatever difference there may be in running expenses loses significance in light of the fact that the substantial majority of 12-wides are transported less than 100 miles. The engineer developed his estimates by first determining expenses per actual mile of operation and then converting them to expenses per constructive mile of operation by applying a factor of 1 actual mile equals 1.3 constructive miles. His estimates, therefore, while not appropriate for operations via short-line routes, do reflect the costs per constructive mile of a reasonably efficient carrier engaged in towing 12-wides for various lengths of haul provided that the constructive mileages calculated are those via the actual route of

movement. The Commission heretofore has established minimum rates based upon constructive mileage via actual routes rather than via short-line routes. Provided that is done here, we find that the costs estimated by the engineer for towing 10-wides are reasonable and appropriate for consideration in establishing minimum rates for the towing of 12-wides.

The next question is whether there are any economic factors, other than cost considerations, which would influence a difference in the reasonableness of minimum rates for towing 12-wides as compared to rates for towing 10-wides. The examiner found that carriers would encounter less competition from proprietary operations by dealers in 12-wide towing because of the requirements of the Division of Highways concerning trip permits. The proposed report states:

"At present, the dealer's equipment and employees are used primarily in connection with the delivering of trailers sold to customers. The use of such equipment and employees for other purposes for other than a relatively short period of time would not appear to be advantageous."

There is no evidence of record which indicates that the dealer would consider the movement of a 12-wide any differently than a movement of a 10-wide. This record indicates that there would be no differences in economic factors with respect to the two sizes of trailers.

After full consideration of all of the facts and circumstances, we find that reasonable minimum rates based upon constructive mileages via the route of actual movement for the towing of trailer coaches not exceeding 10 feet 4 inches in width will be just and reasonable minimum rates for the towing of trailer coaches exceeding 10 feet 4 inches in width.

Computation of Distances

Proposed Item No. 50 provides: "Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route, computed in accordance with the method provided in the distance table."

This rule calls for determining rates via the short-line constructive mileage. As noted above, the constructive mileage via routes for permit shipments prescribed by governmental authorities frequently exceeds the short-line distance.

The Commission has heretofore been confronted with similar circumstances regarding permit shipments (C. 5432, Pet. 173, California Trucking Associations, Inc., 1960, Decision No. 60177, unreported). Paragraph 3 of Item No. 100 of Minimum Rate Tariff No. 2 provides:

"3. When a permit shipment or a shipment of dangerous articles is required to move via a circuitous route because of conditions imposed by a governmental agency, distances shall be computed along the shortest legal route available to the carrier in accordance with the method provided in the Distance Table."

The question presents itself whether such rule would be suitable for minimum rates for the transportation of trailer coaches. Only permit shipments would be affected by the rule. Insofar as this proceeding is concerned, permit shipments would include all trailer coaches exceeding 8 feet 4 inches in width (10-wides and 12-wides) and shipments where the overall length of the trailer and towing vehicle exceeds 75 feet. Under the proposed towaway rate all such permit shipments would be subject to the rate scale provided for trailer coaches over 8 feet 4 inches in width or over 40 feet in length (10-wide rates). As already stated, the cost estimates upon which the 10-wide rates are based reflect costs per

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actual mile, converted into costs per constructive mile, for distances actually traversed. The rule, therefore, would not provide revenues for costs not incurred. The rule is reasonable and suitable to govern the application of the minimum rates for the towing of house trailers. The proposed rates for hauling 12-wides are based upon costs which reflect diversion in routings from regulation by governmental agencies. In the circumstances the rule would not be appropriate to govern such rates.

On February 28, 1967, subsequent to the submission of these proceedings, the Commission entered Decision No. 72081 in Case No. 7024 in which it determined that certain highways have been improved or relocated since Distance Table No. 5 was issued and that Distance Table No. 6 (a reissue of the distance table with revisions to reflect the changes in the highway conditions) should be issued and be made effective July 1, 1967. On March 16, 1967, Distance Table No. 6 was issued and served pursuant to Decision No. 72164 in Case No. 7024.

We have concluded that minimum rates for the transportation of trailer coaches should be established at the earliest possible moment. It would be an unwise expenditure of the State's funds to establish minimum rates governed by Distance Table No. 5, and reprint and serve the latter document; and then shortly thereafter, on July 1, 1967, make the rates subject to Distance Table No. 6. In the circumstances, we conclude that the minimum rates to be established herein should be made subject to Distance Table No. 6.

#### Special Services

Special services include those involved in preparing a trailer coach for dwelling after it has been placed in position at point of destination, and preparing a trailer coach which has been



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used as a dwelling for transportation over the highway. The services include such things as blocking and leveling the trailer, assembling and installing awnings and antennae, and connecting utilities. The examiner proposes rates in dollars per hour per trailer for such services. Staff and Association took exception to the proposal. Morgan, in its reply, concurs with those exceptions. The parties recommend rates in terms of dollars per hour per man engaged in such services. The finding of the examiner is that charges based upon \$5.00 per hour for one man and \$9.00 per hour for two men will reasonably compensate the carrier for performance of the special services. He concluded that considerations of enforcement and application of minimum rates for special services militate against the establishment of rates based upon dollars per hour per man furnished for the performance of such services. Staff has the duty and responsibility of assembling evidence for proceedings involving enforcement of the minimum rates. It is its considered judgment that hourly rates per man can be enforced as well as hourly rates per trailer. Hourly rates per man comport with the findings of fact. We conclude that they should be established as recommended by the parties.

#### Valuation Limitations

The examiner proposes adoption of a rule recommended by the rate expert which provides that the rates tabulated in the tariff are subject to a limitation of liability by the carrier for loss or damage of the shipment to not more than \$7,500 for each trailer coach or camper, including integral parts, and not more than 60 cents per pound per article for the contents of the trailer or camper; and in the event the shipper desires to release the shipment at higher valuation, the minimum rates shall be 1-1/2 times the rates and charges tabulated in the tariff.

Association contends there is no supportable basis for the 50 percent increase in charges where an excess valuation is required on either the trailer coach itself, or on any of the separate items to be transported. It urges the establishment of separate charges for any excess declared valuation on the basis of 15¢-60¢ per \$100 of additional declared valuation over \$100 per piece. This proposal has basis in tariffs of household goods carriers which make available low cost insurance service.

The evidence in this proceeding discloses that carriers engaged in towing or hauling trailer coaches or campers ordinarily secure insurance in the amount of \$10,000, designated as unidentified trailer coverage or cargo coverage. The cost estimates were developed on the assumption that the reasonably efficient carrier would obtain this typical coverage. We have examined the record and nowhere do we find any testimony or statements made by any parties at the hearing that the insurance coverage designated in the development of the cost estimates was not typical. The transportation rates which we have found to be minimum reasonable rates are at levels approximately the same as (and in a few instances lower than) the estimated full costs of providing the service. If the rates provide for risks greater than those reflected in the cost estimates, the transportation rate should be higher.

With respect to the suggestions by Association, the rates for additional coverage mentioned in its exception are rates for insurance coverage which will be obtained by the carrier on behalf of the shipper. They are insurance rates and not transportation rates. The household goods carriers are subject to the requirements of Minimum Rate Tariff No. 4-B which provides for transportation rates 1-1/2 times and 2 times the tabulated rates for shipments in

excess of certain values. The powers of the Commission in the establishment of minimum rates do not contemplate the prescription of rates for policies of insurance. There is no evidence in this record which would permit any determination of whether the rates suggested by Association would reasonably compensate the carrier for assuming a greater risk. The exception is overruled.

Tire or Tube Replacement or Repair

The examiner proposes a charge of \$2.50 for changing a tire on the trailer coach. No exception is taken to that proposal. At times the carrier does not have a spare tire of appropriate size for the trailer coach and is required to unhook his tractor and drive to some point to find and obtain a tire replacement of appropriate size or to have the defective tire repaired. For such additional service the examiner proposes a rate of \$12 or 36 cents per mile, whichever is the lower, subject to a minimum charge of \$2.50.

Association takes exception to that proposal and points out that the maximum charge was computed by the examiner on the basis of a cost of 24¢ per mile for 40 miles plus 1/2 hour @ \$4.56 per hour. It contends that the minimum charge should be based upon an initial charge of \$2.50 (the charge for changing the tire) plus 24 cents per mile subject to a maximum of \$12.

The rates or charges should be related to the costs of the services performed. We therefore must consider what activity is involved in performing the service. The activities involved in changing the tire (stopping the vehicle, placing of warning signs or flares, actual changing of the tire and replacing all of the equipment) are already considered in the proposed charge of \$2.50 and should not be given further consideration in the determination

of a reasonable charge for finding and obtaining a tire or tube replacement or repair. Here the activity consists of unhitching the tractor from the trailer, driving to some point where there may be a service station, obtaining a tire or having one repaired and returning to the trailer and hitching it up to the tractor. The 24 cents per mile cost was one computed by Association from estimates made by the engineer. The examiner found that the 24 cents per mile estimate understates the en route cost because it does not take into consideration the indirect expense or gross revenue expense related to the running cost per mile. He stated that the understatement of cost, however, was not substantial. The 24-cent estimate was calculated by Association by converting the standby cost per hour to a mileage basis by dividing by an assumed speed of 30 mph and adding a running cost of 7¢ per mile. The resulting sum was expanded to reflect a 93% operating ratio. This factor, therefore, considers only the time of the driver en route to the repair or tire facility and return. Some time is required to hitch and unhitch the trailer coach. At the tire facility, if the tire is to be repaired, the carrier must wait while it is being repaired. If a new tire is to be purchased some time is required to negotiate the sale. It is not realistic that the carrier would drive directly to a tire facility at 30 mph; it must be assumed that some search at a lesser speed or some inquiry of the location of such a facility would be made. This would require a short length of time. The examiner in his calculation of a maximum charge found a reasonable amount of time, exclusive of en route time, in which to hitch, unhitch, find and procure a replacement or repair would be 1/2 hour. We find this to be reasonable. The estimated standby cost per hour is \$4.56. A comparison of the estimated costs of procuring a tire, exclusive

of changing the tire on the trailer, with the charges proposed by the examiner is set forth in the margin.<sup>4/</sup> The proposed charge is equivalent to the estimated costs at a distance of 19 miles. For distances less than 15 miles the estimated costs exceed the proposed charges by a small amount and for distances over 19 miles, but not over 40 miles the proposed charges exceed the estimated costs. The proposed rate is reasonable. The exception is overruled.

Escort Service

The examiner proposes the adoption of the rule in Minimum Rate Tariff No. 2, modified to provide a rate of \$5.00 per hour and 8-3/4 cents per mile, for providing escort service. Association takes exception and states that the rates should reflect the circumstances under which the service is performed in the trailer coach transportation business. We agree with that statement. Association further asserts that when escort service is provided in trailer coach moving, it usually consists of an automobile, with an appropriate red flag, moving in advance of the trailer coach load and that, typically, the automobile is driven by a high school or college student, or the wife or member of the family of an owner-operator. It contends that the hourly cost of securing a student or

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<sup>4/</sup> A comparison of the estimated costs and the proposed charges for tire repair or replacement for various lengths of haul, not including changing the tire for which a separate charge is provided:

	<u>Round-Trip Miles</u>						
	<u>5</u>	<u>10</u>	<u>15</u>	<u>20</u>	<u>25</u>	<u>30</u>	<u>35</u>
Cost	\$ 3.50	\$ 4.70	\$ 5.90	\$ 7.10	\$ 8.30	\$ 9.50	\$10.70
Charge	\$ 2.50	\$ 3.60	\$ 5.40	\$ 7.20	\$ 9.00	\$10.80	\$12.00

member of the family to drive the escort car cannot exceed more than about \$2.50 per hour. It also asserts that the 8-3/4¢ per mile is not related to the operation of an automobile.

The proposed rates for escort service are to be applied to the distance, in constructive miles, during which the escort is actually in service. Escort service is required for the movement of 10-wides and 12-wides in most of the mountainous areas in the State except on main through highways such as Interstate 80 and Interstate 5. It is also required on long stretches of highways such as U. S. 101 and State Highway 1, and also on short stretches of other highways. Escort service may be required for the entire length of a short haul or for a long haul or merely for a short distance for either haul. An example of the latter would be a movement of a 10-wide to the San Joaquin Delta area from Stockton or San Pablo. From Stockton to Antioch the distance is 47 constructive miles, the first 11 miles of which no escort is required; then there are 15 miles where escort is required and then another 21 miles where escort is not required. In that instance the escort vehicle would be required to travel 52 round-trip constructive miles and the minimum rate would apply to 15 miles. From San Pablo to Antioch the situation is similar; the distance is 42 constructive miles, the escort distance is 14 constructive miles and, assuming the family car was used as an escort, it would have to be driven 50 round-trip constructive miles. It appears evident that the miles driven by the pilot car will be at least twice the number of miles for which the escort service charges would be applicable and most of the time the actual miles will be more than twice the revenue miles.

The rate of 8-3/4 cents per mile was found to be reasonable for application in connection with the movements of other commodities requiring escort service. The rules of the Division of Highways concerning pilot cars (i.e., automobiles with appropriate flags) are the same for over-width loads regardless of the commodity. Having found the rate of 8-3/4 cents per mile to be reasonable for the same service in connection with the transportation of other commodities, it is a reasonable presumption that said rate will also be just and reasonable for such service involving the movement of trailer coaches. This presumption is bolstered by the policies of the Federal Government and of the State of California with respect to allowances to taxpayers and to employees in the use of their private automobiles for business purposes. Said allowances are in excess of 4-3/8 cents per mile for every mile traversed.

With respect to Association's assertion that ordinarily the drivers of the escort vehicles are students or members of the carrier's family, it would appear that the only time that a student might be available to act as a driver of an escort would be during summer vacation. Permit loads may not be transported on State highways on weekends or holidays. In a number of areas in the State permit loads may only be moved during the hours from 9:00 a.m. to 4:00 p.m. on weekdays. Those are the usual school hours for most students. As stated hereinabove, one of the assumptions made in estimating costs for the purpose of establishing minimum rates is that the reasonably efficient carrier must acquire his employees from the general labor market and compensate them pursuant to the wages and conditions prevailing for the carriers generally. A person's own family is usually not considered to be the general labor market in considering the cost of providing transportation services.

Association asserts that the cost to the carrier of employing a student (or a member of his family) to drive a pilot car would not be more than \$2.50 per hour. Considering that said rate would be lower than the general prevailing rate, the time that the car is in revenue service is substantially less than the time that the driver is in the employ of the carrier, there is some cost to the carrier in arranging to provide escort service, and there would be additional expenses to the carrier based upon the revenue received for such service, it appears that under ordinary circumstances the proposed rate of \$5.00 per hour would provide little, if any, remuneration in excess of the carrier's costs of providing the service. The exception is overruled.

It is noted that the proposed rule does not contemplate that an independent contractor may be engaged to provide escort service. The rule should provide for such circumstance.

#### The Charge for Trip Permits

The examiner proposes the establishment of a charge equal to the fee, if any, assessed by a governmental agency for each permit plus \$7.40 for obtaining the permit, provided, however, that no charge shall be made for obtaining an annual permit. Association takes exception to this proposal. It asserts that if a carrier were to secure five single trip permits at one time he would receive five times as much revenue as his cost. It further describes a situation when permits would be required to be obtained from the State, a city and five counties for one particular haul. It asserts that the permits from the counties may be effective for various periods up to 90 days and that the carrier may transport more than one shipment under such circumstances.



Association's assertions have no foundation in fact. There is no indication in the record that a carrier would be so fortunate as to have five 12-wide trailers tendered to it at any one time. The evidence indicates that such circumstance, if it did occur, would be very rare. The record discloses that the carriers obtain traffic from dealers in the case of initial movements and owners in the case of secondary movements. The only situation where there might be a tender of more than one trailer would be in the movement from a manufacturer to a dealer, which is only a part of the transportation under consideration. The evidence discloses that there are very few carriers that would be able to accept the tender of two 12-wides at one time.

The charge proposed by the examiner was recommended by the rate expert at the hearing. Association did not offer any evidence concerning the matter nor did it make any argument concerning the proposal in its statement filed April 8, 1966. The exception is overruled.

Exceptions were not specifically taken to the examiner's proposals regarding charges for delays and charges for obtaining repairs or replacements in transit. Those charges are similar to those proposed by the examiner for special services. Our discussion concerning the charge for special services is also applicable to charges for delays and obtaining replacements. The charges should be related to the estimated standby costs per hour. We find that \$5.00 per hour for towed trailers and \$6.00 per hour for trailers and campers in haulaway service are the reasonable minimum charges for delays and for obtaining replacements and repairs.

Ultimate Findings and Conclusions

Rulings have been made on the exceptions to the proposed report. Except as provided in the foregoing opinion we approve and adopt the proposed findings recommended by the examiner. We further find that:

1. The rates set forth in Minimum Rate Tariff 18 (Appendix B herein) are the just, reasonable and nondiscriminatory minimum rates for the transportation by motor vehicle over the public highways in this State of trailer coaches, portable campers, and furniture and other personal effects included therein, and for accessorial services performed in connection therewith.

2. The rules provided in Minimum Rate Tariff 18 are necessary to the application and enforcement of said movement rates.

3. Increases in the rates of transportation companies that may be required as a result of the establishment of minimum rates are justified.

4. Under certain circumstances, Minimum Rate Tariff 18 may provide for greater minimum rates for shorter distances than for longer distances over the same line or route.

5. This record does not show to what extent, if at all, existing carload ratings, rates, charges, rules, regulations or accessorial charges of common carriers by railroad for the transportation of trailer coaches, portable campers and other personal effects included therein are unreasonable, discriminatory, unjustified by transportation conditions or otherwise unlawful.

We conclude that:

1. The rates and rules in Minimum Rate Tariff 18 should be established as the minimum rates and rules to be observed by all common carriers as defined in Section 211 of the Public Utilities

Code, all highway permit carriers as defined in Section 3515 of the Public Utilities Code and all carriers defined in Section 3911 of the Public Utilities Code, for the transportation by motor vehicle over the public highways of trailer coaches, portable campers and furniture and personal effects included therein, and for accessorial services performed in connection with said transportation.

2. All of said carriers should be ordered to cease and desist from quoting, maintaining or assessing rates or rules which result in charges lower in volume or effect than the charges applicable under said minimum rates.

3. Common carriers in the performance of pickup and delivery by motor vehicle of shipments transported via railroad or vessel should not be required to observe the minimum rates to be established herein.

4. Common carriers and transportation companies should be authorized to charge less for longer than for shorter distances to the extent necessary to charge the minimum rates and to observe the rules set forth in the minimum rate tariff.

5. Minimum Rate Tariffs Nos. 1-B, 2, 3-A, 4-B, 5, 9-B and 11-A, and City Carriers' Tariff No. 1-A should be amended as set forth on Page C-1 of Exhibit 3 in order to avoid conflicts in the applications of the minimum rates in said tariffs with the minimum rates to be established herein.

O R D E R

IT IS ORDERED that:

1. The rates, charges and rules set forth in Minimum Rate Tariff 18 which is designated Appendix B of the order herein, and by this reference is incorporated in and made a part of this order,

are established and approved, effective July 1, 1967, as the just, reasonable and nondiscriminatory minimum rates and charges to be assessed, charged and collected and the rules to be observed by any and all common carriers as defined in Section 211 of the Public Utilities Code, all highway permit carriers as defined in Section 3515 of the Public Utilities Code and all carriers as defined in Section 3911 of the Public Utilities Code for the transportation by motor vehicle over public highways of the State of California of trailer coaches, portable campers, and furniture and other personal effects included therein, and for the performance of other services, including accessorial services rendered incident thereto, for which rates, charges and rules are provided in said Minimum Rate Tariff 18. ✓

2. The basis for constructively increasing highway mileages prescribed by the Commission in Decision No. 72081 dated February 28, 1967, in Case No. 7024, is hereby adopted, established and approved as the just, reasonable and nondiscriminatory basis for computing distances for use in applying distance rates in Minimum Rate Tariff 18.

3. All radial highway common carriers, highway contract carriers and city carriers shall, on July 1, 1967, cease and desist and thereafter abstain from assessing, charging or collecting rates or charges lower in volume or effect than those set forth in Minimum Rate Tariff 18 for transportation and other services incidental thereto for which rates have been provided in said minimum rate tariff. ✓

4. All common carriers, as defined in Section 211 of the Public Utilities Code, except common carriers in the performance of pickup and delivery by motor vehicle of shipments transported via railroad or vessel, maintaining rates, charges, accessorial charges

and rules for the transportation by motor vehicle over public highways of the State of trailer coaches or portable campers lower in volume or effect than the rates, charges and rules prescribed in Minimum Rate Tariff 18 shall cancel said rates, charges and rules and establish in their stead rates, charges and rules no lower in volume or effect than those set forth in Minimum Rate Tariff 18.

5. All common carriers referred to and described in the preceding paragraph shall, on or before July 1, 1967, cease and desist and thereafter abstain from publishing or maintaining in their tariff rates, charges or rules lower in volume or effect than those prescribed in Minimum Rate Tariff 18.

6. Tariff publications required to be made by common carriers as a result of the order herein may be made 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 and shall be made effective not later than July 1, 1967.

7. Common carriers need not file with this Commission a distance table for the transportation of trailer coaches and campers but may instead publish in their tariffs the following provision to be made applicable only to distance rates for the transportation of said commodities:

"Distance to be used in connection with distance rates named herein shall be determined in accordance with Distance Table 6 issued by the Public Utilities Commission of the State of California."

8. Common carriers, in establishing and maintaining the minimum rates established herein are authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent

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necessary to publish and maintain the minimum rates established herein.

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

Dated at San Francisco, California, this 16<sup>th</sup> day of MAY, 1967.

[Signature]  
President

[Signature]

[Signature]

[Signature]

Commissioners

I dissent  
[Signature]

Decision No. 72418, May 16, 1967  
Case No. 5432 OSH 10/13/65

DISSENTING OPINION

MORRISSEY, FRED P., Commissioner

Before this Commission intervenes in the pricing mechanism of our economy, in order to "stabilize an industry," it has the obligation to determine the nature and effects of the competitive forces at work in that industry or segment concerned. Section 3662 of the Public Utilities Code states:

"The commission shall, upon complaint or upon its own initiative without complaint, establish or approve just, reasonable, and nondiscriminatory maximum or minimum or maximum and minimum rates to be charged by any highway permit carrier for the transportation of property and for accessorial service performed by it." (Emphasis added.)

It is clear that Section 3662 is not a mandatory order for this Commission to establish minimum rates in every complaint case. This Commission has already acknowledged this in Decision No. 70919 (65 Cal.P.U.C. 730). The complainants themselves conceded this in their petition for rehearing of Decision No. 65919 wherein they stated:

"In every case arising on a complaint under §3662 the first issue to be decided is whether or not there is a public need for the establishment of minimum rates. When §§3662 and 3663 are read together, it is apparent that on this question the Commission is vested with some discretion. There is thus some statutory basis for the conclusion of the Commission that a complainant in a proceeding under §3662 has the burden of proving a public need for the establishment of minimum rates."

The Commission seeks to base the need for MRT-18 upon Decision No. 65919 which concluded ". . . minimum rates are necessary for the stability of the transportation of trailer coaches . . .". Further, at page 6 of Decision No. 72418, it states "The record in this proceeding overwhelmingly supports that finding." However, I find little if any evidence in the record supporting such a finding in Decision No. 65919 or in this decision and the testimony that is supportive is substantially confined to that provided by a few carriers. It must be concluded that a record so woefully weak in demonstrating a public need for the establishment of minimum rates requires this Commission to dismiss the case. It is incumbent upon this


Commission to determine if a public need exists before it intervenes in the pricing mechanism and this public need has not been demonstrated.

It is appropriate to enquire what conditions existing in an industry or segment of an industry would support the establishment of a minimum rate program. But first we should be clear that the introduction of minimum rates establishes prices for specified services below which the carrier cannot legally go except under risk of severe penalty or with special Commission approval. Hence it involves the elimination of the opportunity of the carriers to determine their own prices, to bid for business, and to provide extra service in order to attract business. It is in effect a denial of the right of carriers to alter prices and/or service as they see fit. There is no doubt that many businesses may be willing to forego this right if the opportunity is given to them to eliminate price competition and operate under an umbrella of prices maintained through a regulatory agency responsive to their wishes. Hence I find little evidence that the public welfare is enhanced by quoting in the record that no carriers objected to the proposed minimum rate program.

The other side of the picture involves the buyer of the transportation services. In the market mechanism we expect buyers of services to be able to make comparisons, to evaluate differences in services provided, and to make a rational judgment as to the way in which they wish to spend their money. Hence a minimum rate program limits the opportunity of the buyer to bargain for lower prices and/or different services. The market mechanism reflecting the interplay of the buyer and the seller should result in a reasonably efficient allocation of resources to the benefit of society as a whole. At times we will see an industry or a segment of an industry where there exist grave differences in the bargaining power of the buyers and the sellers which encourage the government to step in and equalize this bargaining power in the public interest by imposing standards as well as price of service. The minimum rate program in the transportation industry would appear to have been established not



for the benefit of the industry concerned, the carriers, but rather for the benefit of California as a whole. The unequal bargaining power of shippers might, it was felt, drive down rates so that prices would not provide adequate livelihood to the carriers, that many members of the industry would go bankrupt, that there would be inadequate resources in the industry to supply the services required by the buyers of the services, that dangerous and hazardous practices within the industry, i.e, obsolete trucks, artificially depressed wages, etc., would be encouraged. It would appear to me that these are the conditions that led to the establishment of legislation in the 1930's setting up the minimum rate program administered by the California Public Utilities Commission. Yet nowhere in the record of Decision No. 65919 nor in this decision is there any evidence that these conditions existed in the industry. A legitimate basis for establishing a minimum rate program for trailer coaches and campers is clearly not established and neither the present decision nor Decision No. 65919 would appear in my opinion to be in the public interest. Rather they would merely result in a price maintenance program eliminating price competition and providing no offsetting benefits to the people of California.

  
Fred P. Morrissey, Commissioner

San Francisco, California

May 19, 1967

APPENDIX A  
Page 1 of 2

LIST OF APPEARANCES

For Various Respondents

Russell & Schureman  
1010 Wilshire Boulevard  
Los Angeles, California 90017

H. L. Perry  
11048 Garvey  
El Monte, California

David L. Armstrong  
14932 Costa Mesa Drive  
La Mirada, California

Armond D. Trentelman  
1333 North Main Street  
Salinas, California

Lee Bartlett  
Post Office Box 483  
Hemet, California

Walter W. Tyo  
24974 East 5th Street  
San Bernardino, California

L. L. Clark  
2629 Peck Road  
El Monte, California

John R. Ware  
Route 4, Box 136  
Needles, California

E. L. Cunningham  
4739 Durfee Avenue  
Pico Rivera, California

Anthony J. Konicki  
603 North Mission Road  
Los Angeles, California

Donald D. Evans  
198 East 20th Street  
Costa Mesa, California

Paul T. Golden  
1333 North Main Street  
Salinas, California

Wesley G. Fuller  
703-1/2 North Avenue 50  
Los Angeles, California

W. N. Greenham  
9 Main Street  
San Francisco, California

Sherman Gregory  
407 East 97th Street  
Inglewood, California

Gerald M. Clark  
24012 West Third Street  
Los Angeles, California

John J. King  
9331 Marwin Street  
Bakersfield, California

Interested Parties

Henry Krabbenschmidt  
38505 Cherry Street  
Newark, California

J. C. Kaspar  
841 Folger Avenue  
Berkeley, California 94710

Arlo D. Poe  
639 South Spring Street  
Los Angeles, California 90014

John Martin  
1340 West Third Street  
Los Angeles, California

W. A. Dillon  
3301 South Grand  
Los Angeles, California 90007

Richard A. Redmond  
Room 900, 510 South Spring St.  
Los Angeles, California 90013

LIST OF APPEARANCES

For the Commission Staff

John R. Laurie  
Room 6201, State Building  
Civic Center  
San Francisco, California

R. A. Lubich  
Room 7186, State Building  
Civic Center  
San Francisco, California

Witnesses Not Represented by Appearances

Jack Sawtelle  
Route 2, Box 2349  
Oroville, California

Norman Tharp  
97 Harbor Drive  
Pittsburg, California

Jim Forshey  
3601 Myrtle Avenue  
North Highland, California

Gilbert T. Scott  
75 South Garden Street  
Ventura, California

Walter C. Cooper  
2724 Santa Rosa Avenue  
Santa Rosa, California

Paul E. Carlyle  
2109 West Cameron Street  
Long Beach, California

APPENDIX B  
OF  
DECISION NO. 72418  
IN CASE NO. 5432

ISSUED BY  
PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA

CONSISTING OF MINIMUM RATE TARIFF 18 NAMING MINIMUM  
RATES AND RULES FOR THE TRANSPORTATION BY MOTOR  
VEHICLE OF TRAILER COACHES, AND CAMPERS  
OVER THE PUBLIC HIGHWAYS WITHIN  
THE STATE OF CALIFORNIA

BY  
CITY CARRIERS  
RADIAL HIGHWAY COMMON CARRIERS  
AND  
HIGHWAY CONTRACT CARRIERS

MINIMUM RATE TARIFF 18  
NAMING  
MINIMUM RATES AND RULES  
FOR THE  
TRANSPORTATION OF  
TRAILER COACHES AND CAMPERS  
OVER THE PUBLIC HIGHWAYS WITHIN  
THE STATE OF CALIFORNIA  
BY  
CITY CARRIERS  
RADIAL HIGHWAY COMMON CARRIERS  
AND  
HIGHWAY CONTRACT CARRIERS

The original tariff contains rates and rules established in Decision No. 72418 in Case No. 5432. Changes will be made by issuing revised or added pages or by issuing supplements.

EFFECTIVE JULY 1, 1967

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
San Francisco, California 94102

CORRECTION NUMBER CHECKING SHEET

This tariff is issued in loose-leaf form. Correction numbers appearing on all added and revised pages will be shown consecutively in the lower left-hand corner. These correction numbers should be checked below on this checking sheet before pages are filed in tariff.

CORRECTION NUMBERS

1	31	61	91	121	151	181
2	32	62	92	122	152	182
3	33	63	93	123	153	183
4	34	64	94	124	154	184
5	35	65	95	125	155	185
6	36	66	96	126	156	186
7	37	67	97	127	157	187
8	38	68	98	128	158	188
9	39	69	99	129	159	189
10	40	70	100	130	160	190
11	41	71	101	131	161	191
12	42	72	102	132	162	192
13	43	73	103	133	163	193
14	44	74	104	134	164	194
15	45	75	105	135	165	195
16	46	76	106	136	166	196
17	47	77	107	137	167	197
18	48	78	108	138	168	198
19	49	79	109	139	169	199
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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,  
SAN FRANCISCO, CALIFORNIA.

## ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

SECTION 1--Rules  
SECTION 2--Rates  
SECTION 3--Forms of Documents

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SECTION 1

RULES

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SAN FRANCISCO, CALIFORNIA.



SECTION 1--RULES	Item
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10, 11 and 12)</p> <p>CAMPER means a portable structure containing one or more accommodations for cooking, eating, sleeping, or sanitary facilities, and designed to be mounted upon a motor vehicle.</p> <p>CARRIER means a carrier as defined in the City Carriers' Act, or a radial highway common carrier, or highway contract carrier, as defined in the Highway Carriers' Act.</p> <p>CARRIER'S EQUIPMENT means any motor truck, truck tractor, or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles operated as a single unit for the transportation of property over public highways.</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.</p> <p>CONSIGNEE means the person, firm or corporation shown on the shipping document as the party to whom the property is physically delivered by the carrier.</p> <p>CONSIGNOR means the person, firm or corporation shown on the shipping document as the party who physically delivers the property to the carrier for transportation.</p> <p>DEBTOR means the person obligated to pay the transportation charges to the carrier, whether consignor, consignee, or other party.</p> <p>DISTANCE TABLE means Distance Table No. 6 and reissues thereof.</p> <p>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.</p> <p>HAUL AND TOW means any combination of Haulaway and Towaway at the same time with one unit of carrier's equipment.</p> <p>HAULAWAY means the movement of one or more trailer coaches or campers with the weight of the trailer coaches or campers resting wholly on carrier's equipment. (Continued in Item 11)</p>	10
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Continued) (Items 10, 11 and 12)</p> <p>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 transportation of such shipment in whole or in part.</p> <p>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant, trailer coach park, or receiving area shall be considered as one point of destination. An industrial plant or receiving area shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>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. All points within a single industrial plant, trailer coach park, or shipping area shall be considered as one point of origin. An industrial plant or shipping area shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>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. It also includes truck loading facilities of plants or industries located at such rail loading or unloading point.</p> <p>RATE includes charge and, also, the rules governing, and the accessorial charges applying in connection therewith.</p> <p>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, although not necessarily by an identical type of equipment.</p> <p>SHIPMENT means a quantity of trailer coaches and/or campers physically tendered by one consignor at one point of origin for transportation to one point of destination for which a single shipping document has been issued, transported by carrier's equipment. (See also exceptions in rules and definitions for split shipment.)</p> <p>SPECIAL PURPOSE TRAILER COACH means a structure with two or more outer walls, including a roof, built on a mobile chassis, designed for industrial, educational, professional, or commercial uses; and designed to be drawn on its own wheels by means of a ball-hitch coupling.</p> <p style="text-align: center;">(Continued in Item 12)</p>	<p style="text-align: center;">11</p>
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items 10, 11 and 12)</p> <p>SPLIT SHIPMENT means a shipment of two or more trailer coaches and/or campers, or transportation charges computed upon no less than two trailer coaches and/or campers, picked up by a carrier within one calendar day from one or more consignors at more than one point of origin, said shipment being consigned and delivered to one consignee at one or more points of destination. (See Note)</p> <p>NOTE.--All charges must be collected from the consignee.</p> <p>STORAGE IN TRANSIT means storage of shipment at request of consignor or consignee at one point between point of origin and point of destination for a period not in excess of 30 days.</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.</p> <p>TOWAWAY means transportation of one trailer coach on its own wheels by towing.</p> <p>TRAILER COACH means a structure with two or more outer walls, including a roof, built on a mobile chassis, containing sleeping accommodations, and/or eating, cooking, or sanitary facilities, or designed for industrial, educational, professional or commercial uses, and designed to be drawn on its own wheels by means of a ball-hitch coupling.</p> <p>TRAILER COACH PARK means any area or tract of land where one or more trailer coach lots or spaces are rented or held out for rent and/or sale.</p> <p>TRAILER COACH DEALER means a person, corporation or organization offering for sale, trailer coaches and/or campers, which person, corporation or organization is defined under Section 285, and registered under Section 11701, Article 1, Chapter 4, of the Vehicle Code of the State of California.</p> <p>TRAILER COACH SHOW means a display of trailer coaches and/or campers by more than one manufacturer and/or dealer for the purpose of exhibition to the public, which trailer coaches and/or campers are not for sale while on exhibition.</p> <p>TRAILER COACH WIDTH means the distance measured from the extreme right side to extreme left side (including attachments and the trailer running lights).</p>	12
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;"><b>APPLICATION OF TARIFF--CARRIERS</b></p> <p>Rates provided in this tariff are minimum rates established pursuant to the Highway Carriers' Act and the City Carriers' Act and apply for transportation of property by radial highway common carriers, highway contract carriers, and city carriers as defined in said Acts.</p> <p>When property in continuous through movement is transported by two or more such carriers, the rates (including minimum charges) provided herein shall be the minimum rates for the combined transportation.</p>	20
<p style="text-align: center;"><b>APPLICATION OF TARIFF--TERRITORIAL</b></p> <p>Rates in this tariff apply to transportation by carriers between all points within the State of California, to the extent such transportation is governed by the City Carriers' Act or the Highway Carriers' Act.</p>	30
<p style="text-align: center;"><b>APPLICATION OF TARIFF--COMMODITIES</b></p> <p>(a) Except as otherwise provided in paragraph (b), rates in this tariff apply to the transportation of trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper. (See Note)</p> <p>NOTE.--Trailer coach blocks and steps may be transported on the carrier's equipment.</p> <p>(b) Rates in this tariff do not apply to the following:</p> <p>(1) Property of the United States, state, county or municipal governments or property transported under an agreement whereby the government has contracted for carrier's service.</p> <p>(2) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.</p>	40
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of commodities described in Item 40, from point of origin to point of destination. The rates include a driver with a single unit of carrier's equipment and the following services:</p> <p>1. (a) <u>For Towaway Service</u></p> <p>Attaching and detaching unit of equipment, preparing trailer coach for movement over the highways in accordance with Vehicle Code of the State of California and Division of Highways or political subdivision permit requirements; inspecting and checking trailer coach contents against inventory sheet, taping interior of trailer coach, loading and unloading trailer coach blocks and steps, and inflating tires.</p> <p>(b) <u>For Haulaway Service</u></p> <p>Loading onto and unloading from carrier's equipment, inspecting and taping interior of trailer coach or camper, checking trailer coach or camper contents against inventory sheet, loading and unloading trailer coach blocks and steps, and inflating tires.</p> <p>(c) <u>For Haul and Tow Service</u></p> <p>Loading onto and unloading from carrier's equipment, attaching and detaching trailer coach to be towed, inspecting, checking trailer coach or camper contents against inventory sheet, taping interior of trailer coach or camper, and inflating tires.</p> <p>2. Rates and charges provided in this tariff are subject to a value of \$7,500 for each trailer coach or camper transported, including integral parts, and 60 cents per pound per article for the contents, unless a higher declared valuation is specifically designated in writing and higher rates applied in accordance with the provisions of Item 150.</p> <p>3. Gross receipts taxes to be paid to the California Board of Equalization and California Public Utilities Commission.</p>	50
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">ACCESSORIAL CHARGES NOT TO BE OFFSET BY TRANSPORTATION CHARGES</p> <p>Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected when such services are performed, regardless of the level of the transportation rate assessed. Such accessorial charges may not be waived on the basis that a higher-than-minimum transportation rate serves as an offset.</p>	60
<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route, computed in accordance with the method provided in the Distance Table. (See Exception 1)</p> <p>EXCEPTION 1.--When a permit shipment is required to be towed by a circuitous route because of conditions imposed by a governmental agency, distances shall be computed along the shortest legal route available to the carrier in accordance with the method provided in the Distance Table.</p>	70
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">DISPOSITION OF FRACTIONS</p> <p>In computing a rate, the following rule shall be observed in the disposition of fractions:</p> <p>Fractions of less than 1/2 or .50 of a cent, omit.  Fractions of 1/2 or .50 of a cent or greater, increase to next whole figure.</p>	80
<p style="text-align: center;">PAYMENT OF COMMISSIONS</p> <p>Carriers shall not pay any commissions except to an employee or authorized agent for the solicitation of business.</p>	90
<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers and references to other tariffs include references to amendments and successive issues of such other tariffs.</p>	100
<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier. (Component parts of a split shipment may be combined under the provisions of Items 280 and 281.)</p>	110
<p style="text-align: center;">UNITS OF MEASUREMENT TO BE OBSERVED</p> <p>Except as otherwise provided in this tariff, rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges of this tariff are stated.</p>	120
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION (Other than from a place of manufacture, a sales lot or storage facility) (Items 130, 131 and 132)</p> <p>1. When either the point of origin or point of destination is other than the place of manufacture or sales lot or storage facility of a trailer coach or camper dealer or lessor of trailer coaches or campers and the transportation charges are paid by other than a trailer coach or camper dealer or manufacturer or lessor, a confirmation of shipping instructions and rate quotation document shall be prepared in duplicate by the carrier for each shipment tendered for transportation. Such document shall be signed by the carrier and by the consignor, agent of consignor or debtor prior to the commencement of performance of any service specified therein, and the signed original or duplicate thereof delivered to the consignor, agent of consignor or debtor prior to or at the time such service is begun. Such documents shall contain the following information:</p> <ul style="list-style-type: none"> <li>(a) Date of issuance.</li> <li>(b) Date and time of pickup requested or other arrangement.</li> <li>(c) Name and address of carrier or carriers.</li> <li>(d) Names of consignor or consignees.</li> <li>(e) Description of notification and delivery arrangements. (See Note 2--Item 131)</li> <li>(f) Points of origin and destination.</li> <li>(g) Description of shipment.</li> <li>(h) Description of transportation and accessorial services to be performed.</li> <li>(i) Rates and charges (minimum charges, when they are to be applied) quoted for the services described in the documents. (See Note 3--Item 131)</li> <li>(j) Valuation of shipment. (See Note 4--Item 132)</li> <li>(k) Signature of carrier.</li> <li>(l) Signature of consignor or agent of consignor.</li> <li>(m) Name, address and telephone number of a person to whom notification shall be given except when this cannot be obtained from the shipper. (See Note 1, Item 131)</li> <li>(n) Preferred delivery date or the period of time within which delivery of the shipment may be expected to be made at destination.</li> </ul> <p>2. The form of confirmation of shipping instructions and rate quotation document in Items 380 and 381 will be suitable and proper. Such form may be combined with the shipping document form into a single document, provided such combined form and the issuance thereof are in compliance with the provisions of this item and Items 340 and 341 and properly identified as to what it purports to be.</p> <p style="text-align: center;">(Continued in Item 131)</p>	130
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION (Other than from a place of manufacture, a sales lot or storage facility) (Items 130, 131 and 132)</p> <p>3. The original or duplicate of each document issued in compliance with the provisions of this item 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 thereof.</p> <p>NOTE 1.--Carrier shall request of the consignor or agent of consignor, notification party, address, or telephone number. When consignor or agent of consignor cannot furnish such information or declines to do so, that fact must be shown on the document.</p> <p>NOTE 2.--The document shall also direct attention to the fact that additional charges for storage and transportation will accrue should the shipment not be received by the consignee in accordance with the described arrangements. (See Item 180)</p> <p>NOTE 3.--The following statement, or one of similar import, shall be placed upon the document:</p> <p style="text-align: center;">IMPORTANT NOTICE</p> <p>(a) The rates quoted herein (including minimum charge, or other minimum provisions), supersede any previous quotation, estimate or representation.</p> <p>(b) The quoted rates are believed to be not lower than minimum rates prescribed by the California Public Utilities Commission as published in its Minimum Rate Tariff 18 and are to be applied unless in conflict with the minimum rates, rules and regulations of that tariff.</p> <p>(c) The Commission's tariff must be applied as the minimum basis.</p> <p>(d) Copies of the tariff are open for public inspection at the Commission's offices in San Francisco and Los Angeles and at the carrier's office or offices at _____ designate location</p> <p style="text-align: center;">(Continued in Item 132)</p>	131
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION (Concluded) (Other than from a place of manufacture, a sales lot of storage facility) (Items 130, 131 and 132)</p> <p>NOTE 4.--Valuation shall be shown in the following manner:</p> <p><b>IMPORTANT NOTICE - RELEASED VALUATION AND CARRIER LIABILITY:</b> The rates quoted herein, including minimum charge or other minimum provisions, are based upon a liability of the carrier not to exceed \$7,500 per trailer or camper, including integral parts, and 60 cents per pound per article of the contents thereof. An additional charge of fifty (50) percent of the charge for transportation is applicable if the shipper declares and releases the shipment at a higher valuation. If the shipper desires protection against loss or damage in excess of the limits described above he may obtain insurance protection on his own account and at his own expense; or, he may execute the following agreement and declaration of value in which latter instance the carrier will assume at the additional charge the full liability for loss or damage to the valuation declared.</p> <p style="text-align: center;">Agreement and Declared Value</p> <p>I understand the foregoing and agree that in consideration for the carrier's assumption of full liability for loss or damage of the trailer, including integral parts thereof, which is declared to have a value not in excess of _____ and of the contents thereof which is declared to have a value not in excess of _____ cents per pound, per article, that the carrier shall assess an additional charge equal to fifty (50) percent of the transportation charge quoted herein.</p> <p style="text-align: right;">Signed _____, Shipper.</p>	132
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">OBSERVANCE OF QUOTED RATES AND CHARGES</p> <p>Rates and charges no higher than those specified in the Confirmation of Shipping Instructions and Rate Quotation document issued pursuant to the provisions of Items 130, 131 and 132 shall be assessed on each shipment transported over the line of a single carrier, or over the lines of two or more carriers under a joint or agency arrangement, except as provided in paragraphs (a) and (b) below:</p> <p>(a) When charges determined on the quoted basis are lower than those resulting under the minimum rates provided in this tariff, the latter shall be used.</p> <p>(b) If, prior to the rendition of any transportation, the carrier fails to issue a Confirmation of Shipping Instructions and Rate Quotation document, or if such document is issued but does not contain the information specified in subparagraphs 1, 2, 3, 4, and 5 below, rates and charges no higher than the minimum rates and charges named in this tariff shall be assessed.</p> <ol style="list-style-type: none"> <li>1. A description of the transportation and accessorial services ordered to be undertaken.</li> <li>2. Rates, including minimum charges, (when they are to be applied) quoted for the services so described.</li> <li>3. Agreed or declared value of the property per pound per article and the released value of the trailer coach.</li> <li>4. Signature of consignor or agent of consignor.</li> <li>5. Signature of carrier.</li> </ol>	140
<p style="text-align: center;">ADDITIONAL CHARGE FOR EXCESS VALUATION</p> <p>Rates and charges tabulated in this tariff are subject to a limitation of liability by the carrier not to exceed \$7,500 for each trailer coach or camper transported, including integral parts, and 60 cents per pound per article for the contents. In the event the shipper desires the carrier to assume liability for the shipment in excess of such limitation and declares in writing the valuation of the trailer coach and its contents, an additional charge equivalent to fifty (50) percent of the charge at the applicable rate in Section 2 of this tariff shall be made.</p>	150
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SECTION 1--RULES (Continued)	Item						
<p style="text-align: center;"><b>DELAYS IN DELIVERY</b></p> <p>Whenever a carrier is unable to make delivery of a shipment for which a confirmation of shipping instruction document has been issued (See Items 130, 131 and 132) on the date or during the period specified in the receipt or shipping order, the carrier shall notify the consignor, or person designated, by the consignor, by telegram or telephone, at the carrier's expense, of the reason for the delay and of the date on which delivery of the shipment will be made; such notification to be given as soon as possible but in no event later than the agreed delivery date, provided, that the requirement of this paragraph shall not apply where the carrier is unable to obtain from the consignor an address or telephone number for such notification.</p>	160						
<p style="text-align: center;"><b>CHARGES FOR DELAYS</b></p> <p>In addition to all other applicable charges, the following charges shall be assessed by the carrier for delays resulting from the consignee's inability to accept immediate delivery: (Subject to Note)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="text-align: center; border-bottom: 1px solid black;">Rates in Cents Per Hour</th> </tr> </thead> <tbody> <tr> <td>a. Trailers or campers hauled under Items 351 and 352</td> <td style="text-align: center;">600</td> </tr> <tr> <td>b. Trailers towed under Item 350</td> <td style="text-align: center;">500</td> </tr> </tbody> </table> <p><b>NOTE.--</b>For the purpose of applying this item, the following provisions will be applicable:</p> <ol style="list-style-type: none"> <li>(1) When the carrier tenders delivery at the time specified on the confirmation of shipping instructions, the time for compiling such delay charges shall commence at the specified time.</li> <li>(2) When the shipping instructions provide the carrier with a telephone number which may be called in order to notify the consignee of the estimated time of arrival and such notification is made at least one hour prior to arrival, the time for computing the charge for delays shall commence upon the tender of delivery by the carrier, but not earlier than the notified estimated time of arrival.</li> <li>(3) In other cases, upon arrival the carrier shall attempt to locate the consignee and upon locating him and notifying him of the arrival at destination, the time for computing delay charges shall commence 30 minutes after such notification.</li> </ol>		Rates in Cents Per Hour	a. Trailers or campers hauled under Items 351 and 352	600	b. Trailers towed under Item 350	500	170
	Rates in Cents Per Hour						
a. Trailers or campers hauled under Items 351 and 352	600						
b. Trailers towed under Item 350	500						
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;"><b>INABILITY TO MAKE DELIVERY</b></p> <p>(a) In all instances where carrier is unable to locate the consignee one hour after arrival on the date specified on the confirmation of shipping instructions in order to effect delivery, notification of inability to make delivery will be mailed or telegraphed to the consignee, consignor or debtor, or written notice delivered to the premises where actual delivery was to be effected or to other notifying address, and the shipment will be placed in the nearest storage facility of the carrier, or at the option of the carrier at the nearest public storage facility, and upon such placement the carrier's liability shall cease and liability shall thereafter be that of the warehouseman in possession.</p> <p>(b) In all instances where the consignee is unable to take delivery or declines to accept delivery of the shipment, or where the shipment remains in carrier's possession, pursuant to instructions of the consignor or consignee, and is not stored in transit under the provisions of Item 250 the shipment will be placed in the nearest storage facility of the carrier, or at the option of the carrier at the nearest public storage facility; and upon such placement the carrier's liability shall cease and liability shall thereafter be that of the warehouseman in possession.</p> <p>(c) When storage is performed at carrier's storage facility the rates for storage provided in Item 250 will apply.</p> <p>(d) In cases where a "subsequent delivery" is made, charges will be assessed for such "subsequent delivery," on the basis of charges lawfully applicable from carrier's storage facility or from public storage facility (as the case may be) to the point of destination, but in no event more than the charge applicable for 25 constructive miles.</p>	180
<p style="text-align: center;"><b>DIVERTED SHIPMENTS</b></p> <p>Charges upon a shipment transported under rates provided in Items 350, 351, and 352 which has been diverted shall be computed at the applicable rate or charge in effect on date of shipment for the distance from point of origin via each point where diversion occurs to final destination, plus an additional charge of \$5.10 for each diversion in transit.</p>	190
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">RETURNED SHIPMENTS (See Note)</p> <p>Trailer coaches or campers refused by consignee may be returned to original consignor and to original point of shipment at one-half the rate (applicable to the number of trailer coaches or campers returned) current at time of returned movement, as provided in Items 350, 351 and 352 of this tariff.</p> <p>Rates or charges which may be assessed in connection with a returned movement, other than transportation charges published in Items 350, 351 and 352, shall be those rates or charges which are published in individual items of this tariff.</p> <p>NOTE.--Shipments may not leave possession of carrier at original billed destination.</p>	200
<p style="text-align: center;">SPECIAL SERVICES</p> <p>In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed by the carrier for special services involved in preparing each trailer for transportation and/or preparing each trailer coach for occupancy: (Subject to Notes 1 and 2)</p> <p>(a) The time consumed by one man in performing such services shall be charged for at the rate of \$5.00 per hour.</p> <p>(b) The time consumed for each additional man in performing such services shall be charged for at the rate of \$4.00 per hour.</p> <p>NOTE 1.--Charges do not include furnishing of materials. When such materials are furnished by carrier, a charge equaling the actual cost to carrier of such materials shall be made.</p> <p>NOTE 2.--Charges for special services may be quoted and assessed based upon a unit of measurement different from that set forth in this item provided:</p> <p>(a) That the charge collected shall not be less than the charge applicable under the hourly rates in this item.</p> <p>(b) That the carrier shall set forth and maintain on the accessorial service document required to be issued pursuant to Items 340 and 341, the times, dates and locations at which the carrier commenced and completed the special services, the number of hours and fractions thereof involved and a description of all of the services rendered.</p>	210
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SECTION 1--RULES (Continued)	Item						
<p style="text-align: center;"><b>REPAIRS OR REPLACEMENTS IN TRANSIT</b></p> <p>When it becomes necessary to repair or replace, while in transit, any part such as undercarriage, wheels, wheel bearings, hitches, springs, frame, or any other part, except as otherwise provided in Item 230, such repairs or replacements will be made and the debtor will be charged for all parts and other expenses, including tow truck service, incurred. In addition to expenses incurred, the following service charge shall be assessed by the carrier: (See Note)</p> <table style="width: 100%; margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>Rates in Cents per Hour</u></th> </tr> </thead> <tbody> <tr> <td>a. Trailers or campers hauled under Items 351 and 352</td> <td style="text-align: center;">600</td> </tr> <tr> <td>b. Trailers towed under Item 350</td> <td style="text-align: center;">500</td> </tr> </tbody> </table> <p>NOTE.--All charges covering expenses to become due and payable upon presentation of paid receipts or other evidence.</p>		<u>Rates in Cents per Hour</u>	a. Trailers or campers hauled under Items 351 and 352	600	b. Trailers towed under Item 350	500	220
	<u>Rates in Cents per Hour</u>						
a. Trailers or campers hauled under Items 351 and 352	600						
b. Trailers towed under Item 350	500						
<p style="text-align: center;"><b>TIRE AND TUBE REPAIR AND/OR REPLACEMENT</b></p> <p>When carrier repairs or replaces any of the tires or tubes of the trailer coach due to failure, the following charges shall be applied in addition to all other applicable charges provided in the tariff:</p> <ol style="list-style-type: none"> <li>1. A charge of \$2.50 for removing and replacing wheel plus             <ol style="list-style-type: none"> <li>(a) A charge of 2 cents a mile when carrier uses his own tire as a replacement. The actual miles shall be computed from point of tire failure to the point where the faulty tire is repaired or replaced.</li> <li>(b) When the carrier is required to unhook carrier's equipment from trailer coach to find and obtain a tire and/or tube replacement or repair, an additional charge of either \$12.00 or 36 cents per mile, whichever is lower, subject to a minimum charge of \$2.50, shall be assessed. The charge of 36 cents per mile shall be based on the round trip distance traveled without a load.</li> </ol> </li> </ol>	230						
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SECTION 1--RULES (Continued)	Item																					
<p><b>CHARGES FOR ESCORT SERVICE</b></p> <p>In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring escort service:</p> <p>(a) When carrier arranges for escort service from an independent contractor not associated with the carrier and escort service is provided by said independent contractor, the charges paid by carrier to independent contractor for escort service shall be added to the transportation charges.</p> <p>(b) When carrier, or its subsidiary or affiliate, provides escort service, the following additional charges shall be assessed:</p> <ol style="list-style-type: none"> <li>1. A charge of \$5.00 per hour, plus 8½ cents per mile computed in accordance with the provisions of Item 70 shall be made for each escort vehicle and driver furnished for the time and distance said vehicle and driver are engaged in such service. (See Note)</li> <li>2. A charge shall be made equal to the actual cost of any bridge or ferry tolls incurred for each escort car.</li> <li>3. A charge of \$7.25 per twenty-four (24) hour period shall be assessed for subsistence for each escort driver if service requires over-night delay.</li> </ol> <p>NOTE.--Charges for fractions of an hour shall be determined in accordance with the following table:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">MINUTES</th> <th></th> </tr> <tr> <th style="text-align: center;">Over</th> <th style="text-align: center;">But Not Over</th> <th></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">8</td> <td style="text-align: right;">----- omit</td> </tr> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">23</td> <td style="text-align: right;">----- shall be ¼ hour</td> </tr> <tr> <td style="text-align: center;">23</td> <td style="text-align: center;">38</td> <td style="text-align: right;">----- shall be ½ hour</td> </tr> <tr> <td style="text-align: center;">38</td> <td style="text-align: center;">53</td> <td style="text-align: right;">----- shall be ¾ hour</td> </tr> <tr> <td style="text-align: center;">53</td> <td style="text-align: center;">60</td> <td style="text-align: right;">----- shall be 1 hour</td> </tr> </tbody> </table>	MINUTES			Over	But Not Over		0	8	----- omit	8	23	----- shall be ¼ hour	23	38	----- shall be ½ hour	38	53	----- shall be ¾ hour	53	60	----- shall be 1 hour	<p>240</p>
MINUTES																						
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;"><b>STORAGE IN TRANSIT (See Note)</b></p> <p>Shipments may be stored once in transit for a period not to exceed 30 days from the date of unloading at storage points.</p> <p>Charges shall be computed on the following basis:</p> <ul style="list-style-type: none"> <li>(a) The applicable transportation rate from initial point of origin to point of storage, plus</li> <li>(b) The applicable transportation rate from point of storage to point of destination, plus</li> <li>(c) Storage charge of \$10.00 for a period not exceeding 15 days, or a storage charge of \$15.00 for a period exceeding 15 days but not exceeding 30 days.</li> </ul> <p>NOTE.--In the event a shipment remains in storage in excess of 30 days, the point of storage in transit shall be considered the point of destination and thereafter shall be subject to the rules and charges of the individual warehouseman. Charges for subsequent delivery shall be assessed on the basis of the charges applicable from point of storage to point of delivery.</p>	250
<p style="text-align: center;"><b>CHARGES FOR PERMIT SHIPMENTS</b></p> <p>In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on all permit shipments:</p> <ul style="list-style-type: none"> <li>(a) A charge shall be made equal to the fee, if any, assessed by the governmental agency for issuing each permit plus \$7.40 for obtaining the permit. (See Exception)</li> </ul> <p>EXCEPTION.--No charge shall be made for obtaining the annual permit issued by any political subdivision or Division of Highways.</p>	260
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SECTION 1--RULES (Continued)						Item																																																
<p><b>PAYMENT OF ADVANCE CHARGES</b></p> <p>For the service of making payment of any charges outstanding against a trailer coach in order to obtain its release for transportation, the following additional charges shall be assessed:</p> <table border="0"> <thead> <tr> <th colspan="2">When the amount paid is:</th> <th>Charge for making payment will be:</th> <th colspan="2">When the amount paid is:</th> <th>Charge for making payment will be:</th> </tr> <tr> <th>Over</th> <th>Not Over</th> <th></th> <th>Over</th> <th>Not Over</th> <th></th> </tr> </thead> <tbody> <tr> <td>--</td> <td>\$ 2.50</td> <td>\$0.36</td> <td>\$40.00</td> <td>\$ 50.00</td> <td>\$0.79</td> </tr> <tr> <td>\$ 2.50</td> <td>5.00</td> <td>.46</td> <td>50.00</td> <td>60.00</td> <td>1.00</td> </tr> <tr> <td>5.00</td> <td>10.00</td> <td>.58</td> <td>60.00</td> <td>80.00</td> <td>1.05</td> </tr> <tr> <td>10.00</td> <td>20.00</td> <td>.61</td> <td>80.00</td> <td>100.00</td> <td>1.10</td> </tr> <tr> <td>20.00</td> <td>25.00</td> <td>.64</td> <td colspan="3">Over \$100.00 at the rate of</td> </tr> <tr> <td>25.00</td> <td>40.00</td> <td>.75</td> <td colspan="3">\$1.10 per \$100.00</td> </tr> </tbody> </table> <p>Any payment of money made by a carrier under the provisions of this item shall be recorded on the freight bill and collected subject to the conditions set forth in Item 330 for collection of transportation charges.</p>						When the amount paid is:		Charge for making payment will be:	When the amount paid is:		Charge for making payment will be:	Over	Not Over		Over	Not Over		--	\$ 2.50	\$0.36	\$40.00	\$ 50.00	\$0.79	\$ 2.50	5.00	.46	50.00	60.00	1.00	5.00	10.00	.58	60.00	80.00	1.05	10.00	20.00	.61	80.00	100.00	1.10	20.00	25.00	.64	Over \$100.00 at the rate of			25.00	40.00	.75	\$1.10 per \$100.00			270
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25.00	40.00	.75	\$1.10 per \$100.00																																																			
<p><b>SPLIT SHIPMENT</b> (Subject to Notes 1 and 2) (Items 280 and 281)</p> <p>(a) The rate or charge for transportation of a split shipment (as defined in Item 12) shall be determined by the distance from point of origin or origins to that point of destination or destinations which produces the shortest distance via the other point or points of origin and destination. (See Exceptions 1 and 2)</p> <p>EXCEPTION 1.--Add to the distances determined under the provisions of paragraph (a) above, 2 constructive miles for each point in excess of one located within:</p> <p>(Continued in Item 281)</p>						280																																																
<p><b>EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE</b></p>																																																						
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">SPLIT SHIPMENT (Concluded) (Subject to Notes 1 and 2) (Items 280 and 281)</p> <p>(1) A single metropolitan zone, or (2) A single incorporated city, including the extended area thereof, but not within a metropolitan zone, or (3) A single unincorporated community, including the extended area thereof, but not within a metropolitan zone, designated in the Distance Table as a red point, black point or a numbered junction.</p> <p>EXCEPTION 2.--In the event that a shipment has component parts both within and without a mileage territory, the shortest distance shall be computed subject to the following provisions:</p> <p>(a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing point for the applicable metropolitan zone group.</p> <p>(b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.</p> <p>NOTE 1.--In addition to the rate for transportation, the following additional charges shall be assessed for split shipment service:</p> <p>(a) A charge of \$2.00 shall be made for each component part picked up or delivered.</p> <p>NOTE 2.--The provisions of this item shall not apply and each component part shall be rated as a separate shipment under other provisions of this tariff:</p> <p>(a) Unless at the time of or prior to the tender of the shipment a single bill of lading or other shipping document shall have been issued for the composite shipment and the carrier shall have been furnished with written instructions showing the name and address of each consignee, the point of origin, the points of destination, and a description of the trailer coach or camper in each component part.</p>	281
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;"><b>ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</b></p> <p>Common carrier rates, except rates of coastwise common carriers by vessel, 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 than results from the application of the rates herein provided. (See Notes 1, 2 and 3)</p> <p>NOTE 1.--When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</p> <p>NOTE 2.--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.</p> <p>NOTE 3.--For the purpose of applying the provisions of this item, the definitions of Point of Destination and Point of Origin set forth in Item 11 will be applicable.</p>	290
<p style="text-align: center;"><b>ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES</b></p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead and point of destination is located at railhead, add to the common carrier rate applying from any team track to point of destination the rate provided in this tariff for the distance from point of origin to the team track from which the common carrier rate applies.</p> <p>(b) When point of origin is located at railhead and point of destination is located beyond railhead, add to the common carrier rate applying from point of origin to any team track the rate provided in this tariff for the distance from the team track to which the common carrier rate used applies to point of destination.</p> <p>(c) When both point of origin and point of destination are located beyond railhead, add to the common carrier rate applying between any railheads the rate provided in this tariff for the distance from point of origin to the team track from which the common carrier rate used applies, plus the rate provided in this tariff for the distance from the team track to which the common carrier rate used applies to point of destination.</p>	300
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SECTION 1--RULES (Continued)	Item								
<p style="text-align: center;"><b>ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</b></p> <p>In the event under the provisions of Items 290 and 300 a common carrier rate is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by the highway carrier, the following charges shall be added:</p> <p>(a) For attaching and detaching, or loading and unloading carrier's equipment, a charge not less than that provided below shall be assessed for each trailer coach or camper.</p> <table style="width: 100%; margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>Dollars per Unit</u></th> </tr> </thead> <tbody> <tr> <td>Trailer coaches or campers not exceeding 8 feet 4 inches in width (Minimum, two units)</td> <td style="text-align: center;">\$ 5.30</td> </tr> <tr> <td>Trailer coaches over 8 feet 4 inches in width, but not exceeding 10 feet 4 inches in width</td> <td style="text-align: center;">11.10</td> </tr> <tr> <td>Trailer coaches over 10 feet 4 inches in width, but not exceeding 12 feet 4 inches in width</td> <td style="text-align: center;">19.15</td> </tr> </tbody> </table>		<u>Dollars per Unit</u>	Trailer coaches or campers not exceeding 8 feet 4 inches in width (Minimum, two units)	\$ 5.30	Trailer coaches over 8 feet 4 inches in width, but not exceeding 10 feet 4 inches in width	11.10	Trailer coaches over 10 feet 4 inches in width, but not exceeding 12 feet 4 inches in width	19.15	310
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<p style="text-align: center;"><b>COLLECT ON DELIVERY (C.O.D.) SHIPMENTS</b> (Items 320 and 321)</p> <p>1. A collect on delivery shipment, hereinafter referred to as a C.O.D. shipment, means a shipment upon which the consignor has attached, as a condition of delivery, the collection of a specific sum or sums of moneys by the carrier making delivery thereon and the return of said moneys to the consignor or other payee designated by the consignor.</p> <p>2. Every carrier handling C.O.D. shipments shall:</p> <p>(a) Establish and maintain a separate bank account or accounts wherein all moneys (other than checks or drafts payable to consignor or payee designated by consignor) collected on C.O.D. shipments will be held in trust until remitted to payee, except C.O.D. moneys which are remitted within five days after delivery.</p> <p style="text-align: center;">(Continued in Item 321)</p>	320								
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">COLLECT ON DELIVERY (C.O.D.) SHIPMENTS (Concluded) (Items 320 and 321)</p> <p>(b) Establish and maintain a record or records of all C.O.D. shipments in such manner and form as will plainly and readily show the following information with respect to each shipment:</p> <ul style="list-style-type: none"> <li>(1) Number and date of freight bill.</li> <li>(2) Name and address of consignor or other person designated as payee.</li> <li>(3) Name and address of consignee.</li> <li>(4) Date shipment delivered.</li> <li>(5) Amount of C.O.D. moneys collected.</li> <li>(6) Date C.O.D. moneys remitted.</li> <li>(7) Check number of other identification of remittance to payee.</li> </ul> <p>(c) Collect the full amount of the C.O.D. moneys at the time C.O.D. shipments are delivered to the consignee and remit all such collections to consignor, or to other persons designated by the consignor on such shipments, promptly and in no event later than 10 days after delivery to the consignee, unless consignor instructs otherwise in writing. All remittances for C.O.D. shipments shall identify the C.O.D. shipment or shipments covered by the remittance.</p> <p>(d) Not accept checks or drafts (other than certified checks, cashier's checks, or money orders) in payment of C.O.D. charges unless authority has been received from the consignor.</p> <p>(1) (e) Notify the consignor immediately if a C.O.D. shipment is refused or cannot be delivered because of circumstances beyond the carrier's control. In the event of such non-delivery, and pursuant to the consignor's instructions, the shipment shall either be returned to the consignor or delivered to another consignee. (See Item 190, Diverted Shipments or Item 200, Returned Shipments for charges to be assessed for the diverted or returned shipments.) Split Shipments may be handled on a C.O.D. basis.</p> <p>3. The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments shall be \$2.00 for each C.O.D. shipping document collected.</p> <p>(1) Exception to General Order 84-F and reissues thereof.</p>	<p>321</p>
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;"><b>COLLECTION OF CHARGES</b> (See Note)</p> <p>(a) Except as otherwise provided in this rule, transportation and accessorial charges shall be collected by the carriers prior to relinquishing physical possession of shipments entrusted to them for transportation.</p> <p>(b) Upon taking precautions deemed by them to be sufficient to assure payment of charges within the credit period herein specified, carriers may relinquish possession of freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called debtors, for a period not to exceed 7 days, excluding Sundays and legal holidays other than Saturday half-holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill.</p> <p>(c) Where the carrier has relinquished possession of freight and collected the amount of charges represented in a freight bill presented by it as the total amount of such charges, and another freight bill for additional charges is thereafter presented to the debtor, the carrier may extend credit in the amount of such additional charges for a period of 30 calendar days to be computed from the first 12 o'clock midnight following the presentation of the subsequently presented freight bill.</p> <p>(d) Freight bills for all transportation and accessorial charges shall be presented to the debtors within 7 calendar days from the first 12 o'clock midnight following delivery of the freight.</p> <p>(e) When freight bills are presented to debtors by means of the United States mail, the time of mailing by the carrier, as evidenced by the postmark, shall be deemed to be the time of presentation of the freight bills.</p> <p>(f) The mailing by the debtor of valid checks, drafts, or money orders, which are satisfactory to the carrier in payment of freight charges within the credit period allowed such debtor, may be deemed to be the collection of the charges within the credit period for the purpose of these rules. In case of dispute as to the time of mailing, the postmark shall be accepted as showing such time.</p> <p>NOTE.--The provisions of Item 330 will not apply to transportation of property for the United States, state, county, or municipal governments.</p>	330
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SECTION 1--RULES (Continued)	Item
<p style="text-align: center;">SHIPPING DOCUMENT REQUIREMENTS (Items 340 and 341)</p> <p>1. A shipping document shall be issued by the carrier for each shipment received for transportation. The shipping document shall show the following information:</p> <ul style="list-style-type: none"> <li>(a) Date issued.</li> <li>(b) Name of carrier.</li> <li>(c) Name of consignor or consignors.</li> <li>(d) Name of consignee or consignees.</li> <li>(e) Point or points of origin.</li> <li>(f) Point or points of destination.</li> <li>(g) Description of the shipment (width and length), the agreed or declared valuation and serial number.</li> <li>(h) Unit of measurement upon which charges are based.</li> <li>(i) Rate and charge assessed.</li> <li>(j) Signature of carrier or his agent or employee.</li> <li>(k) Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge.</li> </ul> <p>2. ISSUANCE OF ACCESSORIAL SERVICE DOCUMENT. An accessorial service document shall be issued by the carrier to the consignee for any accessorial or incidental service when rendered by the carrier, but which is not authorized to be performed under the transportation rates named in Section 2 of this tariff. The accessorial service document shall show the following information:</p> <ul style="list-style-type: none"> <li>(a) Name of carrier.</li> <li>(b) Date of issuance.</li> <li>(c) Name of consignor or consignee or their representative, ordering or requiring the services, or for whom they are rendered.</li> <li>(d) Shipping document numbers or other identification of the shipments in connection with which the services are rendered.</li> <li>(e) Address at which the accessorial service is performed.</li> <li>(f) Rate and charges assessed.</li> <li>(g) Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge.</li> </ul> <p style="text-align: center;">(Continued in Item 341)</p>	<p>340</p>
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SECTION 1--RULES (Concluded)	Item
<p style="text-align: center;">SHIPPING DOCUMENT REQUIREMENTS (Concluded) (Items 340 and 341)</p> <p>3. For the transportation of (1) permit shipments, or (2) shipments requiring escort service, the following information wherever applicable, shall be shown on all shipping documents issued by the carrier in connection therewith and shall be in addition to the information otherwise required to be shown by paragraphs 1 and 2 of this item:</p> <p style="padding-left: 2em;">(a) Permit identification of all permit shipments. (b) Any escort service furnished and the authority therefor.</p> <p>4. The forms of documents in Items 360, 370, 380 and 381, or a consolidation thereof, will be suitable and proper.</p> <p>5. A copy of each shipping document, freight bill, accessorial service document, single split shipment document, shall be retained and preserved by issuing carrier, at a location within the State of California, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p>	341
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SECTION 2

RATES

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SAN FRANCISCO, CALIFORNIA.

SECTION 2--RATES						Item
DISTANCE TOWAWAY RATES IN DOLLARS PER TRAILER COACH AND IN CENTS PER MILE OVER 200 MILES						
Miles		Not over 8 feet 4 inches in width, nor over 40 feet in length (See Note 1)		Over 8 feet 4 inches in width, or over 40 feet in length (See Notes 1 and 2)		
Over	But Not Over	COL. A	COL. B	COL. A	COL. B	
0	5	15	19	20	23	
5	10	17	23	24	26	
10	25	21	27	28	30	
25	50	26	33	33	36	
50	75	31	43	42	47	
75	100	36	53	51	58	
100	125	45	63	60	69	
125	150	54	73	69	80	
150	175	63	83	78	91	
175	200	72	93	87	102	
200	-	36 cents per mile or frac- tion thereof	47 cents per mile or frac- tion thereof	44 cents per mile or frac- tion thereof	51 cents per mile or frac- tion thereof	350
<p>NOTE 1.--Col. A rates apply to (a) shipments when either the point of origin or point of destination is: (1) a place of manufacture or a manufacturer's storage facility; (2) an established place of business of a trailer coach dealer, as defined in Section 320 of the Vehicle Code of the State of California, or a trailer coach dealer's storage facility, and the bill of lading or other shipping document contains certification by the consignor or consignee that the trailer coach is for sale, exchange, lease or rent; and (3) a trailer coach show, or (b) transportation of all special purpose trailers.</p> <p>Col. B rates shall apply to all shipments not subject to Col. A Rates.</p> <p>NOTE 2.--The computation of distances for permit shipments shall be computed in accordance with Exception 1 of Item 70.</p>						
EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE						
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.						

SECTION 2--RATES (Continued)			Item
DISTANCE HAULWAY RATES IN DOLLARS PER TRAILER COACH AND IN CENTS PER MILE OVER 200 MILES			
Miles But Not Over Over		Over 8 feet 4 inches in width (See Note)	
		COL. A	COL. B
0	5	32	37
5	10	37	42
10	25	46	53
25	50	59	71
50	75	76	90
75	100	93	110
100	125	110	130
125	150	127	150
150	175	144	170
175	200	162	190
200	-	81 cents per mile or frac- tion thereof	95 cents per mile or frac- tion thereof
<p>NOTE.--Col. A rates apply to (a) shipments when either the point of origin or point of destination is: (1) a place of manufacture or a manufacturer's storage facility; (2) an established place of business of a trailer coach dealer, as defined in Section 320 of the Vehicle Code of the State of California, or a trailer coach dealer's storage facility, and the bill of lading or other shipping document contains certification by the consignor or consignee that the trailer coach is for sale, exchange, lease or rent; and (3) a trailer coach show, or (b) transportation of all special purpose trailers.</p> <p>Col. B rates apply to all shipments not subject to Col. A rates.</p>			
EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE			
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.			

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SECTION 2--RATES (Concluded)					Item
DISTANCE HAULAWAY OR HAUL AND TOW RATES IN DOLLARS PER SHIPMENT OF TRAILER COACHES AND/OR CAMPERS, AND IN CENTS PER SHIPMENT PER MILE OVER 200 MILES					352
Miles Over	But Not Over	NUMBER PER SHIPMENT (See Note)			
		2 or less	3	4 or more	
0	5	22	26	30	
5	10	26	30	34	
10	25	31	35	39	
25	50	41	45	49	
50	75	53	57	61	
75	100	65	69	73	
100	125	77	81	85	
125	150	89	93	97	
150	175	101	105	109	
175	200	113	117	121	
200	-	57 cents per mile or frac- tion thereof	59 cents per mile or frac- tion thereof	61 cents per mile or frac- tion thereof	
NOTE.--Rates in this item do not apply to trailer coaches over 8 feet 4 inches in width.					
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SECTION 3

FORMS OF DOCUMENTS

SHIPPING ORDER AND FREIGHT BILL

CONFIRMATION OF SHIPPING INSTRUCTIONS  
AND RATE QUOTATION

ACCESSORIAL SERVICE DOCUMENT

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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,  
SAN FRANCISCO, CALIFORNIA.

SECTION 3--FORMS OF DOCUMENTS	Item
<b>SHIPPING DOCUMENT AND FREIGHT BILL FOR TRAILER COACHES AND CAMPERS</b>	
Name of Carrier _____ (Same as shown on permit)	Bill No. _____ Date Issued _____
Point of Origin _____ Consignor _____ Street Address _____ City _____	Consignee _____ Street Address _____ City _____
Description of each trailer coach or camper in the shipment (Serial No., width, and length of each trailer) rate, charges _____ _____ _____	
Released Valuation-Trailer Coach _____	Contents _____ Total _____
Point of Diversion or Reconsignment _____ Points Where Split Shipment Service Accorded _____	
Accessorial Services _____	Charges _____
Total to Collect _____	
_____ (Shipper's Name)	
_____ (Signature of Shipper or Agent of Shipper)	Received by Carrier in Good Condition Except as Noted: _____ Received by Consignee in Good Condition Except As Noted: _____
_____ (Address of Shipper or Agent of Shipper)	_____ By _____
_____ Date	_____ By _____
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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

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SECTION 3--FORMS OF DOCUMENTS (Continued)		Item
<u>ACCESSORIAL SERVICE DOCUMENT</u>		
Date _____ Bill No. _____		370
Name of Carrier _____ (Name of carrier must be same as shown on permit)		
Permit No. _____		
Debtor _____ (Name of shipper, consignor or receiver against whom bill is rendered)		
Address _____		
Kind of Service Rendered _____ (State kind of delay or kind of work performed)		
Reference to Shipping Document:		
Date of Shipping Document _____ Shipping Document No. _____		
Shipper _____ Consignee _____		
Consignor's Address _____ Consignee's Address _____		
Description of Equipment _____ (List each truck, tractor, freight trailer and semi-trailer)		
Explanation of Accessorial Charges:		
Service Performed	Charge	
	Sub. Total _____	
Accessorial Services Item _____ Time _____	Total Hrs. _____	
Start _____	Rate _____	
End _____	Total Hrly. Chg. _____	
Deductions (Explain) _____	Total Chgs. _____	
Consignor or Agent of Consignor or Consignee _____	Carrier _____	
By _____ (Signature)	By _____ (Signature)	
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SECTION 3--FORMS OF DOCUMENTS (Continued)	Item
<p style="text-align: center;"><b>CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION DOCUMENT</b> (Items 380 and 381)</p> <p>(Name of carrier which shall be the name in which the operating authority is held.) _____ Serial number of document _____</p> <p>(The shipper is requested to read this document carefully before signing it and to ask for an explanation of anything which is not clear or is inconsistent with any previous representation made by the carrier.) _____ (Place document is issued) _____</p> <p style="text-align: right;">(Date issued) _____</p> <p>This will confirm instructions received from _____ (Name of the person placing instructions)</p> <p>to transport _____ (Trailer Coach--width, length and service numbers)</p> <p>from _____ (Describe location from which trailer coach is to be shipped)</p> <p>to _____ (Describe location at which trailer coach is to be delivered)</p> <p>to receive the consignment for transportation on _____</p> <p>and to perform the accessorial service of _____ _____ (Specify the date and time or other arrangement)</p> <p>_____ (Specify any services such as packing, unpacking, unblocking, blocking, etc., or indicate that none are involved)</p> <p>in connection with the receipt, transportation or delivery of the consignment, to notify _____ (Name of party to be notified)</p> <p>at _____ (Location where notification is to be made)</p> <p>by _____ (Describe the type of notification, when and how it is to be made and when and how delivery is to be accomplished thereafter, or show that the shipper was requested to supply a notification address but declined to do so, and such arrangements as have been made respecting delivery)</p> <p>The rate(s) for the above described services is (are) _____</p> <p>(Name the rate or rates, including minimum charges, and any other minimum provisions involved, for transportation and accessorial services ordered, designating the particular services for which different rates or minimum provisions are quoted and conditions and circumstances which may result in extra charges as specified in the tariff, such as the ordering of additional service or failure to accept delivery pursuant to the delivery arrangements above described.)</p> <p style="text-align: center;">(Continued in Item 381 )</p>	380
<b>EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE</b>	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

SECTION 3--FORMS OF DOCUMENTS (Concluded)	Item												
<p style="text-align: center;">CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION DOCUMENT (Concluded) (Items 380 and 381)</p>													
<p>Important Notices Charges under the rates quoted herein are subject to designated minimum provisions, notwithstanding any previous quotation, estimate or representation to the contrary. The rates herein quoted, including minimum charge or other minimum provisions, supersede any previous understanding with respect to rates and charges. They are believed to be not lower than the minimum rates prescribed by the California Public Utilities Commission and promulgated in Minimum Rate Tariff 18 and are to be applied unless in conflict with the rates or other minimum provisions of that tariff. The Commission's tariff must be applied as the minimum basis. Copies of it are open for public inspection at the Commission's offices in the State Building at San Francisco and Los Angeles and _____.</p> <p style="text-align: right;">(The carrier's office or offices-- designate their location)</p> <p><b>IMPORTANT NOTICE - RELEASED VALUATION AND CARRIER LIABILITY:</b> The rates quoted herein, including minimum charge or other minimum provisions, are based upon a liability of the carrier not to exceed \$7,500 per trailer or camper, including integral parts, and 60 cents per pound per article of the contents thereof. An additional charge of fifty (50) percent of the charge for transportation is applicable if the shipper declares and releases the shipment at a higher valuation. If the shipper desires protection against loss or damage in excess of the limits described above he may obtain insurance protection on his own account and at his own expense; or, he may execute the following agreement and declaration of value in which latter instance the carrier will assume at the additional charge the full liability for loss or damage to the valuation declared.</p> <p style="text-align: center;">Agreement and Declared Value</p> <p>I understand the foregoing and agree that in consideration for the carrier's assumption of full liability for loss or damage of the trailer, including integral parts thereof, which is declared to have a value not in excess of _____ and of the contents thereof which is declared to have a value not in excess of _____ cents per pound, per article, that the carrier shall assess an additional charge equal to fifty (50) percent of the transportation charge quoted herein.</p> <p style="text-align: center;">Signed _____, Shipper</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">_____</td> <td style="width: 50%; border: none;">_____</td> </tr> <tr> <td style="text-align: center; border: none;">(Shipper's Name)</td> <td style="text-align: center; border: none;">(Name of Carrier)</td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none;">By _____</td> </tr> <tr> <td style="text-align: center; border: none;">(Signature of Shipper or Agent of Shipper)</td> <td style="text-align: center; border: none;">(Show name in full)</td> </tr> <tr> <td style="border: none;">_____</td> <td style="border: none;">_____</td> </tr> <tr> <td style="text-align: center; border: none;">(Address of Shipper or Agent of Shipper)</td> <td style="text-align: center; border: none;">(Date)</td> </tr> </table> <p style="text-align: center;">END OF TARIFF</p>	_____	_____	(Shipper's Name)	(Name of Carrier)	_____	By _____	(Signature of Shipper or Agent of Shipper)	(Show name in full)	_____	_____	(Address of Shipper or Agent of Shipper)	(Date)	381
_____	_____												
(Shipper's Name)	(Name of Carrier)												
_____	By _____												
(Signature of Shipper or Agent of Shipper)	(Show name in full)												
_____	_____												
(Address of Shipper or Agent of Shipper)	(Date)												
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