

Decision No. 72472

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
the rates, rules, regulations, charges,)
allowances and practices of all common)
carriers, highway carriers and city)
carriers relating to the transportation)
of livestock and related items (commo-)
dities for which rates are provided in)
Minimum Rate Tariff No. 3-A).)

Case No. 5433
(Petition for Modification
No. 22)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 72471 entered today in Case No. 5432
(Petition for Modification No. 405) et al., amended the rules of
Minimum Rate Tariffs Nos. 2, 3-A, 6-A, 8, 10, 11-A, 12 and 14-A by
providing that freight charges may be prorated, apportioned or divided
between or among carriers.

The decision also provided that, in order to avoid duplica-
tion of tariff distribution, Minimum Rate Tariff No. 3-A should be
amended by a separate order in this proceeding.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 3-A (Appendix A of Decision
No. 55587, as amended) is hereby further amended by incorporating
therein, to become effective June 24, 1967, Second Revised Page 16
attached hereto and by this reference made a part hereof.

2. Tariff publications required to be made by common car-
riers as a result of the order herein may be made effective not ear-
lier 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 June 24, 1967.

3. Common carriers, in establishing and maintaining the rule authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rule published under this authority shall make reference to the prior orders authorizing the long- and short-haul departures and to this order.

4. In all other respects Decision No. 55587, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 23rd day of May, 1967.

Edna E. Mitchell
President

William G. Bennett
Attorney

William Sproull Jr.
Paul P. Morissey
Commissioners

SECTION NO. 1--RULES AND REGULATIONS (Concluded)	Item No.
<p data-bbox="371 382 1131 445">ISSUANCE OF SHIPPING DOCUMENTS (Concluded) (Items Nos. 250 and 251)</p> <p data-bbox="313 471 1338 1146">b. As a condition precedent to the recovery of damages caused by the carrier's negligence, claims must be filed in writing with the carrier within 90 days after date of delivery, or, in the case of failure to make delivery, within 100 days after tender of the shipment.</p> <p data-bbox="313 700 1338 802">c. No claim shall be honored by a carrier covering any shipment on which the shipper has not remitted to the carrier full transportation charges.</p> <p data-bbox="313 828 1338 955">d. All claims shall be accompanied by paid freight bill, shipping order and delivery receipt, or exact copies thereof, and a verified statement itemizing the extent of loss or damage.</p> <p data-bbox="313 980 1338 1146">e. Unless written notice of loss or damage is given to a carrier before or at the time the shipment is unloaded at point of destination, the carrier will be discharged from all liability in respect to any claim for loss and damage.</p> <p data-bbox="239 1172 1362 1235">The form of agreement for carriage in Items Nos. 320 and 321 will be suitable and proper.</p> <p data-bbox="239 1261 1346 1401">A copy of each agreement for carriage shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p> <p data-bbox="239 1426 536 1465">B. Freight Bill</p> <p data-bbox="239 1490 1338 1923">A bill for freight charges shall be issued by the carrier to the debtor for each shipment received for transportation. *Except with respect to intercarrier transactions and as hereinafter provided, only one freight bill shall be issued for each shipment transported and the carrier shall not apportion, prorate, or otherwise divide the freight charges between or among the consignor(s), consignee(s), or any other parties. For accessorial service not included in the rate for actual transportation, the carrier shall issue a freight bill to the consignor or consignee who requested or ordered such accessorial service. The freight bill shall show the following information:</p> <ol data-bbox="338 1923 1197 2114" style="list-style-type: none">1. Name of consignor.2. Name of consignee.3. Point of origin.4. Point of destination.5. Description of the kind and number of head of livestock shipped.	<p data-bbox="1387 1070 1462 1108">251</p>

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

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

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

∅ Change)
* Addition) Decision No. 72472

EFFECTIVE JUNE 24, 1967

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 66