

ORIGINAL

Decision No. 72490

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation) Case No. 7857
for the purpose of considering and) Petition for Modification
determining revisions in or reis-) No. 13
sues of Minimum Rate Tariff No. 14-A.) (Filed April 4, 1967)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 72488, entered today in Case No. 5433 (Petition for Modification No. 24) et al., provided that Distance Table 6 should be made to govern the distance rates named in Minimum Rate Tariffs Nos. 3-A, 8 and 14-A effective January 1, 1968. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 14-A should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 14-A (Appendix A to Decision No. 67397, as amended) is further amended by incorporating therein, to become effective July 1, 1967, Third Revised Page 4, attached hereto and by this reference made a part hereof.

2. The basis for constructively increasing highway mile-ages 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 No. 14-A.

3. The rates and charges set forth in Minimum Rate Tariff No. 14-A determined under the provisions of Distance Table 6 and the rules and regulations governing such rates and charges are hereby established as the minimum reasonable and sufficient rates and charges to be published, assessed, charged, collected and observed by all common carriers as defined in the Public Utilities Act for the transportation of hay, fodder and straw, in machine pressed bales, and grain and related commodities, in bulk, in bins or in specified containers, between the points for which rates are provided in the tariff.

4. Common carriers need not file with this Commission a distance table for the transportation of hay, fodder and straw in machine pressed bales, and grain and related commodities, in bulk, in bins or in specified containers, but may instead publish in their tariffs the following provision to be made applicable only to distance rates for the transportation of said commodities:

"Distances 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."

5. Tariff publications required to be made by common carriers as a result of the order herein shall be made effective January 1, 1968, on not less than ten days' notice to the Commission and to the public; and tariff publications which are authorized but not required to be made by common carriers as a result

of the order herein may be made effective not earlier than January 1, 1968, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than March 2, 1968.

6. Common carriers are authorized to adopt Distance Table 6 as the basis for computing distances for use in applying distance rates in their common carrier tariffs for the transportation of:

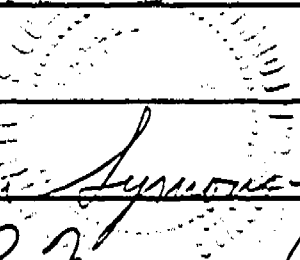
- (a) commodities for which minimum rates have not been established, or
- (b) commodities which are subject to higher rates than, or more restrictive provisions than, the minimum rates or provisions otherwise applicable.

7. Common carriers 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 provisions published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

8. In all other respects Decision No. 67397, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

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


Robert E. Mitchell
President
William L. Bennett
Augustus
William Symons, Jr.
Fred P. Moussey
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION	Item No.
<p data-bbox="442 486 1202 550">DEFINITION OF TECHNICAL TERMS NOT DEFINED IN INDIVIDUAL ITEMS (Items Nos. 10 and 11)</p> <p data-bbox="211 601 1344 708">CARRIER means a carrier as defined in the City Carriers' Act, or a radial highway common carrier or a highway contract carrier as defined in the Highway Carriers' Act.</p> <p data-bbox="211 733 1344 835">CARRIER'S EQUIPMENT means any motor truck, motor trailer, trailer, semi-trailer, or any combination of such highway vehicles operated as a single unit.</p> <p data-bbox="303 868 778 899">COMMON CARRIER RATE means:</p> <ol data-bbox="360 919 1372 1531" style="list-style-type: none">1. 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;2. Any interstate or foreign rate or rates of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully in effect at time of shipment;3. Any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b)(6) or 203(b)(8) of Part II of the Interstate Commerce Act. <p data-bbox="216 1556 1339 1658">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 data-bbox="216 1684 1351 1786">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 data-bbox="216 1811 1356 1913">DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee, or other party.</p> <p data-bbox="232 1926 1075 1989">ø(1) DISTANCE TABLE means Distance Table No. 5. *(2) DISTANCE TABLE means Distance Table 6.</p> <p data-bbox="216 2015 1265 2117">IN BULK means not in bags, sacks, packages, or other containers, except bins, or except containers otherwise specified.</p>	<p data-bbox="1384 1161 1438 1200">ø10</p>

INDEPENDENT - CONTRACTOR SUBHAULER means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.

POINT OF DESTINATION means the location at which property is delivered to the consignee or his agent. All points within a single storage yard or structure, or within a single plant or receiving area of one consignee shall be considered as one point of destination. A plant or receiving area of one consignee shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.

POINT OF ORIGIN means the location at which property is delivered by the consignor or his agent to the carrier for transportation. All locations at a single field or roadside stack, or within a single storage yard or storage structure, or within a single plant or shipping area of one consignor shall be considered as one point of origin. A plant or shipping area of one consignor shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare. The point of origin of a field pickup shipment (see Item No. 180) shall be the point in a single field or farm site nearest the point of destination.

POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift truck equipment.

(Continued in Item No. 11)

- (1) Expires with December 31, 1967
- (2) Effective January 1, 1968

Ø Change)
* Addition) Decision No. **72490**

EFFECTIVE JULY 1, 1967

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 42