

ORIGINAL

Decision No. 74144

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)
property within San Diego County)
(transportation for which rates)
are provided in Minimum Rate)
Tariff No. 9-B).)

Case No. 5439
(Petition for Modification
No. 70)
(Filed April 24, 1968)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 74142, entered today in Case No. 5432, et al., the Commission found that various minimum rate tariffs should be amended to reflect the adoption of National Motor Freight Classification A-10 and its California Supplement A-10 (CAL) in lieu of National Motor Freight Classification A-9 and its California Supplement A-9 (CAL). The decision also provided that Minimum Rate Tariff No. 9-B should be amended by separate order to avoid duplication of tariff distribution and that other authorized changes in said tariff, not directly related to the instant proceeding, should be included in such tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 9-B (Appendix "A" of Decision No. 67766, as amended) is hereby further amended by incorporating therein, to become effective July 1, 1968, Sixth Revised Page 7 and Third Revised Page 18, attached hereto and by this reference made a part hereof.

2. Tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than July 1, 1968, on not less than five days' notice to the Commission and to the public and such tariff publications shall be made effective not later than August 30, 1968; 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 July 1, 1968, and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

3. Common carriers, in establishing and maintaining the ratings and rules 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 ratings and rules published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

4. In all other respects Decision No. 67766, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 21st day of
May, 1968.

Robert E. Mitchell
President
William W. Berndt
Augusta Ann
William J. J. J.
Shed P. Morrissey
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p data-bbox="512 394 1049 471" style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 11)</p> <p data-bbox="223 496 1305 624">ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bullet proof glass, and which is manned by an armed crew.</p> <p data-bbox="223 649 1272 777">CARRIER means a carrier, as defined in the City Carriers' Act, or a radial highway common carrier, a highway contract carrier or a cement contract carrier, as defined in the Highway Carriers' Act.</p> <p data-bbox="223 802 1288 930">CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semitrailer, dolly or any combination of such highway vehicles operated by the carrier.</p> <p data-bbox="223 955 1255 1031">COMMISSION means the Public Utilities Commission of the State of California.</p> <p data-bbox="223 1057 1313 1414">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 for transportation by land; also any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b) (6) or Section 203(b) (8) of Part II of the Interstate Commerce Act.</p> <p data-bbox="223 1439 1280 1541">DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.</p> <p data-bbox="313 1567 1015 1605">DISTANCE TABLE means Distance Table 6.</p> <p data-bbox="223 1630 1280 1732">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 data-bbox="223 1758 1263 1860">ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p data-bbox="223 1885 1205 1949">*(E) EXCEPTION RATINGS TARIFF means Exception Ratings Tariff No. 1 issued by the Commission.</p> <p data-bbox="223 1974 1296 2076">GOVERNING CLASSIFICATION means National Motor Freight Classification A-10 (CAL) as governed by National Motor Freight Classification A-10.</p> <p data-bbox="223 2102 1296 2254">HOLIDAYS means New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, December 24 and Christmas Day. When such holidays fall on Sunday, the following Monday shall be considered as a holiday.</p>	<p data-bbox="1362 1184 1420 1223" style="text-align: center;">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.

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 the transportation of such shipment in whole or in part.

(Continued in Item No. 11)

(E) Reference to Exception Ratings Tariff expires with September 1, 1968.

Ø Change)
* Addition) Decisions Nos. and

74144 EFFECTIVE JULY 1, 1968

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

Correction No. 75

SECTION NO. 1--RULES AND REGULATIONS (Continued)	Item No.														
<p style="text-align: center;">APPLICATION OF CLASSIFICATION RATINGS AND MINIMUM WEIGHTS</p> <p>Except as otherwise provided in this tariff, shipments subject to truckload ratings in the Governing Classification lower than fourth (4th) class will be subject to rates provided for fourth (4th) class.</p> <p>When truckload minimum weight as provided in the Governing Classification exceeds 40,000 pounds, the minimum weight shall be 40,000 pounds.</p> <p>Except as otherwise provided in this tariff, class rates contained in this tariff are subject to any quantity or less-truckload and truckload ratings as shown in:</p> <p>(a) The Governing Classification.</p> <p>*(E)(b) Section No. 2-A of the Exception Ratings Tariff.</p>	660														
<p style="text-align: center;">APPLICATION OF CLASS RATES THAT ARE PERCENTAGES, MULTIPLES OR PROPORTIONS OF SPECIFIC CLASS RATINGS</p> <p>Class ratings which are based on percentages, multiples or proportions of first class or other specified class ratings are not restricted in their application solely to the minimum class rates in the any quantity weight brackets but will apply in connection with the minimum weight brackets set forth in this tariff applicable to the shipment transported.</p>	70														
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>(a) Except as otherwise provided, this tariff is governed by:</p> <p>(1) The Governing Classification.</p> <p>*(E)(2) Section No. 2-A only of the Exception Ratings Tariff.</p> <p>Δ(b) Rates in this tariff are subject to the provisions of the following items (rules) only of the Governing Classification:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">**</td><td style="width: 50%; text-align: right;">422</td></tr> <tr> <td>2</td><td style="text-align: right;">424</td></tr> <tr> <td>110 (Section 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)</td><td style="text-align: right;">565</td></tr> <tr> <td>310</td><td style="text-align: right;">595**</td></tr> <tr> <td>360 (Sections 2(c), 2(d) and 3 only)</td><td style="text-align: right;">640</td></tr> <tr> <td>420</td><td style="text-align: right;">845</td></tr> <tr> <td>421</td><td style="text-align: right;">997 (Table A)</td></tr> </table> <p>Δ(c) Where the ratings, rules and regulations or other provisions or conditions provided in the governing publications described in paragraph (a) are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p>	**	422	2	424	110 (Section 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)	565	310	595**	360 (Sections 2(c), 2(d) and 3 only)	640	420	845	421	997 (Table A)	880
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(E) Reference to the Exception Ratings Tariff expires with September 1, 1968.

ø Change)	
* Addition)	
Δ Change, neither increase)	
nor reduction.)	Decisions Nos.
** Reference to Rule 1 and Section)	and
2 of Rule 595 eliminated)	

74144

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San Francisco, California.

Correction No. 76