

ORIGINAL

Decision No. 74145

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 cement and related products (Commodi-)
ties for which rates are provided in)
Minimum Rate Tariff No. 10).)

Case No. 5440
(Petition for Modification
No. 57)
(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. 10 should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix A to Decision No. 44633, as amended) is further amended by incorporating therein, to become effective July 1, 1968, Sixteenth Revised Page 4 and Ninth Revised Page 10 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

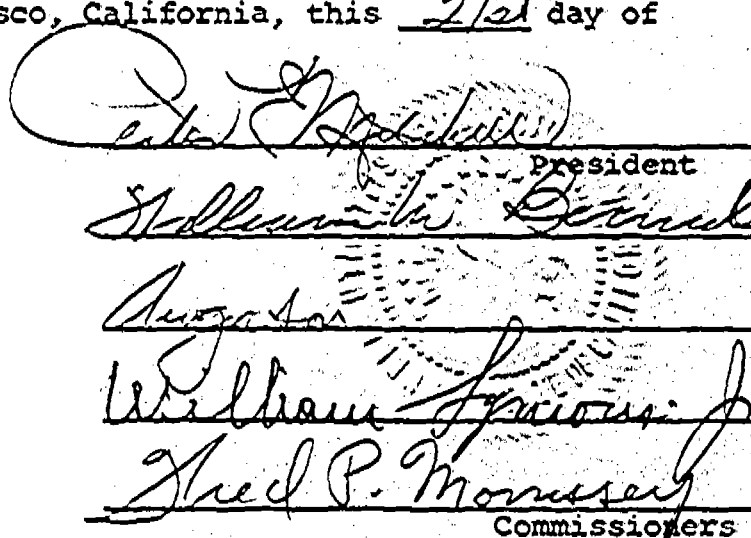
earlier than July 1, 1968, and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

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. 44633, 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.


[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners

Sixteenth Revised Page 4
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 Fifteenth Revised Page 4

MINIMUM RATE TARIFF NO. 10

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">DEFINITIONS (Items Nos. 10 and 11)</p> <p>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>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; any interstate rate or foreign rate or rates of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully in effect at time of shipment; also any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b)(8) of Part II of the Interstate Commerce Act.</p> <p>DISTANCE TABLE means Distance Table 6.</p> <p style="text-align: center;">**</p> <p>MOTOR VEHICLE means any motor truck, tractor or other self-propelled vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.</p> <p>OVERLYING CARRIER (principal carrier) means a carrier which contracts with a shipper to provide transportation service for the latter; but which carrier in turn employs another carrier, known as the underlying carrier (independent-contractor subhauler), to perform that service.</p>	<p>10</p>

PALLETIZED SHIPMENT means a shipment tendered to and transported by the carrier on pallets.

PALLETS means (a) pallets, metal or wooden, shipping, including inside spacers or supports for palletized loads; (b) pallets, platforms or skids, for lift trucks, iron, steel or wood, separate or combined, with fixed bodies or enclosures or with standing ends, side, stakes or standards, loose or in packages; or without bodies, enclosures, standing ends, sides, stakes or standards, loose or in packages; or (c) pallets for lift trucks, paperboard, pulpboard or fibreboard.

POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent; except that (a) all locations within a radius of 50 feet from a single point, and (b) all locations on the property of a single consignee within a radius of 300 feet from a single point will be considered as one point of destination.

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; except that (a) all locations within a radius of 50 feet from a single point, and (b) all locations on the property of a single consignor within a radius of 300 feet from a single point will be considered as one point of origin.

(Continued in Item No. 11)

Change
** Definition of "Governing Classification" eliminated } Decision No.

74145

EFFECTIVE JULY 1, 1968

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

Correction No. 121

SECTION NO. 1--RULES AND REGULATIONS (Concluded)	Item No.
<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>When a common carrier rate is applied in lieu of or in combination with rates provided in this tariff, and the common carrier rate does not include accessorial services as performed by carrier, the following charges shall be made for such services:</p> <ol style="list-style-type: none">1. For unloading of shipment, in packages, at a point of destination to which the common carrier rate applies, 1½ cents per 100 pounds.2. For accessorial services for which charges are provided in this tariff, the additional charge or charges so provided.3. For other accessorial services for which charges are not otherwise provided in this tariff, the charges set forth in Item No. 100.	170
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS</p> <p>A shipping document (either in individual or manifest form) shall be issued by the carrier to the shipper for each shipment received for transportation. Except with respect to intercarrier transactions and as hereinafter provided, only one shipping document 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, consignee(s), or any other parties. For accessorial service not included in the rate for actual transportation, the carrier shall furnish a shipping document to the consignor or consignee who requested or ordered such accessorial service. The shipping document shall show the following information:</p> <ol style="list-style-type: none">(a) Name of shipper.(b) Name of consignee.(c) Point of origin.(d) Point of destination.ø (e) Description of the shipment. **(f) Weight of the shipment (or other factor or unit of measurement upon which charges are based).(g) Rate and charge assessed.(h) Whether point of origin and/or point of destination is located at railhead and such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. <p>The form of shipping document in Section No. 3 will be suitable and proper.</p> <p>A copy of each shipping document, freight bill, accessorial service document, weighmaster's certificate, written instructions, written agreement, written request or any other written document which supports the rates and charges assessed and which the carrier is required to issue, receive or obtain by this tariff for any transportation or accessorial</p>	ø180

service shall be retained and preserved by the 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 issue.

UNITS OF MEASUREMENT TO BE OBSERVED

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 in this tariff are stated.

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ACCESSORIAL CHARGES NOT TO BE OFFSET BY
TRANSPORTATION CHARGES

Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected whenever 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.

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∅ Change)
** Reference to "Governing)
Classification" eliminated)

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Correction No. 122