

Decision No. 74567

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 ) Case No. 5439  
to the transportation of property )  
within San Diego County (including )  
transportation for which rates are )  
provided in Minimum Rate Tariff No. )  
9-B). )

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 74565, issued today in Case No. 5432, et al., the Commission found that various minimum rate tariffs should be clarified with respect to their application to the transportation of property which is exempt from regulation of the Interstate Commerce Commission under Sections 203(b)(8) and 402(8)(c)(1) of the Interstate Commerce Act. The decision also provided that Minimum Rate Tariff No. 9-B should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective September 28, 1968, Sixth Revised Page 17 attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order and may be made effective on not less than ten 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 page incorporated in this order. Tariff publications authorized herein shall be filed not earlier than the effective date of this order.

3. Common carriers, in establishing and maintaining the amendments 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 amendments 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.

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

Dated at San Francisco, California, this 20<sup>th</sup> day of August, 1968.

William Synovis Jr.  
President  
John E. Goldstein  
William G. Bernard  
August  
Commissioners

| SECTION NO. 1 - RULES AND REGULATIONS (Continued)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Item No.                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES (Concluded)<br/>(Items Nos. 50 and 51)</p> <p>Rates in this tariff apply for the transportation of all commodities except the following:</p> <p>Furniture, household appliances and other home furnishings transported from retail stores or retail store warehouses where they have been sold at retail by a retail merchant, or transported from retail customers to retail stores, or retail store warehouses,</p> <p>Houses which have been disengaged from their foundations, or sections thereof and integral parts or contents when the contents are transported within the houses.</p> <p>Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles. #The terms "tank trucks, tank trailers and tank semi-trailers" include any truck, trailer or semi-trailer with carrier or shipper provided collapsible tanks or bags, 20 feet or more in length, 2,000 gallons or more in capacity and 20,000 pounds or more weight carrying capacity (subject to Note),</p> <p>Mushrooms, fresh (not cold pack nor frozen),</p> <p>Newspapers, newspaper supplements, sections or inserts (not scrap nor waste),</p> <p>Nuts, in the shell,</p> <p>Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed),</p> <p>Poultry, live,</p> <p>Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended,</p> <p>Property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services,</p> <p>Property transported to a United States Post Office for mailing, United States mail transported from a post office to the addressee thereof, and United States mail transported for the Post Office Department under contract,</p> <p>*Property which is exempt from regulation by the Interstate Commerce Commission under Section 203(b)(8) of the Interstate Commerce Act when transported for a group or association of shippers engaged in operations which are exempt from regulation under Section 402(8)(c)(1) of the above act.</p> <p>Telephone directories,</p> <p>Trailer coaches and campers set up, (including contents and furniture and other personal effects for use outside of trailer coaches) for which rates are provided in Minimum Rate Tariff 18,</p> | <p style="text-align: center;">51</p> |

Used property, viz.: household goods, personal effects, furniture, musical instruments, radios, television sets, and office and store fixtures and equipment as described in and for which rates are provided in Minimum Rate Tariff No. 4-B, and used property as described therein of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services,

Vegetables, fresh or green (not cold pack nor frozen),

Vehicles, disabled, when transported by towing,

Voting booths, ballot boxes, election tents, and election supplies when transported from or to polling places.

ØNOTE--The portion of this exemption preceded by # expires with June 29, 1969.

Ø Change            )  
\* Addition        )    Decision No. 74567

EFFECTIVE SEPTEMBER 28, 1968

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

Correction No. 89