

ORIGINAL

Decision No. 74760

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)	Case No. 5441
carriers and city carriers relating)	(Petition for Modification
to the transportation of property)	No. 148)
in the City and County of San)	(Filed August 26, 1968)
Francisco, and the Counties of)	
Alameda, Contra Costa, Lake, Marin,)	
Mendocino, Monterey, Napa, San)	
Benito, San Mateo, Santa Clara,)	
Santa Cruz, Solano and Sonoma.)	

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 74749, entered today in Case No. 5432, et al., the Commission found, among other things, that its minimum rate tariffs should be amended to reflect repeal of the City Carriers' Act and that common carriers should be required to publish and observe the drayage rates published in Minimum Rate Tariff 19 (formerly City Carriers' Tariff No. 1-A.)

We find that the rates set forth in Minimum Rate Tariff 19 will result in just, reasonable and nondiscriminatory minimum rates to be observed by common carriers, as defined in the Public Utilities Act, for transportation performed within the scope of that tariff.

We conclude that:

1. Minimum Rate Tariff 19 should be established as the minimum rates to be observed by common carriers, as defined in the Public Utilities Act, and by radial highway common carriers and highway contract carriers for transportation performed within the area embraced by that tariff.

2. All of said carriers should be ordered to cease and desist from charging, maintaining or assessing rates or rules which result in charges lower in volume or effect than the charges applicable under said minimum rates.

3. Common carriers should be authorized to charge less for longer than for shorter distances to the extent necessary to charge minimum rates and to observe the rules set forth in the minimum rate tariff.

IT IS ORDERED that:

1. The rates, charges and rules set forth in Minimum Rate Tariff 19 (Appendix A of Decision No. 41363, as amended) are established and approved, effective November 13, 1968 as the just, reasonable and nondiscriminatory minimum rates and charges to be assessed, charged and collected and the rules to be observed by common carriers as defined in the Public Utilities Act, and radial highway common carriers and highway contract carriers for transportation performed within the area covered by the aforementioned tariff.

2. Common carriers, as defined in the Public Utilities Act, and radial highway common carriers and highway contract carriers shall, on November 13, 1968, cease and desist and thereafter abstain from assessing, charging and collecting rates or charges lower in volume or effect than those set forth in Minimum Rate Tariff 19 for transportation and other services incidental thereto for which rates are provided in said minimum rate tariff.

3. Minimum Rate Tariff 19 (Appendix A of Decision No. 41363, as amended) is hereby amended by incorporating therein,

to become effective November 13, 1968, the supplement and revised pages attached and listed in Appendix A, also attached hereto, which supplement, pages and appendix are made a part hereof.

4. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and shall be made effective November 13, 1968 on not less than five days' notice to the Commission and to the public. The tariff filings made pursuant to this order shall comply in all respects with the regulation governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-A.

5. 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.

In all other respects Decision No. 41363, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 1st day of October, 1968.

William Amos Jr.
President
Peter E. Mitchell
William M. Bennett
Augusta
Jack P. Monsees
Commissioners

APPENDIX A TO DECISION NO. 74760

List of Supplement and Revised Pages to Minimum Rate Tariff 19

Authorized by Said Decision

Supplement No. 14

Third Revised Title Page

Third Revised Page 1

Sixth Revised Page 13

Seventeenth Revised Page 17

Second Revised Page 18-A

Nineteenth Revised Page 45

Third Revised Page 48

(END OF APPENDIX A LIST)

SUPPLEMENT NO. 14
(CANCELS SUPPLEMENT NO. 13)
(SUPPLEMENT NO. 14 CONTAINS ALL CHANGES)
TO
ØMINIMUM RATE TARIFF 19
NAMING
MINIMUM RATES, RULES AND REGULATIONS
FOR THE
TRANSPORTATION OF PROPERTY OVER
THE PUBLIC HIGHWAYS
OF THE
CITY AND COUNTY OF SAN FRANCISCO
BY
ØRADIAL HIGHWAY COMMON CARRIERS
AND
HIGHWAY CONTRACT CARRIERS

Ø Change, Decision No. 74760

EFFECTIVE NOVEMBER 13, 1968

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California 94102

Third Revised Title Page
Cancels
Second Revised Title Page

ØMINIMUM RATE TARIFF 19

(Formerly City Carriers' Tariff No. 1-A)

naming

MINIMUM RATES, RULES AND REGULATIONS

for the

TRANSPORTATION OF PROPERTY OVER THE
PUBLIC HIGHWAYS

of the

CITY AND COUNTY OF SAN FRANCISCO

by

ØRADIAL HIGHWAY COMMON CARRIERS

AND

HIGHWAY CONTRACT CARRIERS

This tariff contains the rates, rules, regulations and classifications established in Decision No. 41363 in Case No. 4084. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

*IMPORTANT NOTICE

Reference in this or other tariffs to City Carriers' Tariff No. 1-A shall be construed as referring to Minimum Rate Tariff 19.

Governed by the Governing Classification, as described in Item No. 10, to the extent shown herein.

Ø Change)
* Addition) Decision No. 74760

EFFECTIVE NOVEMBER 13, 1968
(Original Tariff Effective April 20, 1948)

Correction No. 624

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California 94102

CORRECTION NUMBER CHECKING SHEET

This tariff is issued in loose-leaf form. Corrections numbers appearing on all added and revised pages will be shown consecutively in the lower left-hand corner. These correction numbers should be checked below on this checking sheet before pages are filed in tariff.

CORRECTION NUMBERS

631	661	691	721	751	781	811
632	662	692	722	752	782	812
633	663	693	723	753	783	813
634	664	694	724	754	784	814
635	665	695	725	755	785	815
636	666	696	726	756	786	816
637	667	697	727	757	787	817
638	668	698	728	758	788	818
639	669	699	729	759	789	819
640	670	700	730	760	790	820
641	671	701	731	761	791	821
642	672	702	732	762	792	822
643	673	703	733	763	793	823
644	674	704	734	764	794	824
645	675	705	735	765	795	825
646	676	706	736	766	796	826
647	677	707	737	767	797	827
648	678	708	738	768	798	828
649	679	709	739	769	799	829
650	680	710	740	770	800	830
651	681	711	741	771	801	831
652	682	712	742	772	802	832
653	683	713	743	773	803	833
654	684	714	744	774	804	834
655	685	715	745	775	805	835
656	686	716	746	776	806	836
657	687	717	747	777	807	837
658	688	718	748	778	808	838
659	689	719	749	779	809	839
660	690	720	750	780	810	840

EFFECTIVE NOVEMBER 13, 1968

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 625

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
20	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 20 series)</p> <p>RATE includes charge, and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination.</p> <p>SHIPPING means transportation of property to another carrier when destined beyond the limits of the City and County of San Francisco.</p> <p>TAILGATE LOADING means loading of the shipment into or upon carrier's equipment from a point at street level not more than 20 feet distant from said equipment or at other than street level when vehicular ramp is provided and made available to the carrier.</p> <p>TAILGATE UNLOADING means unloading of the shipment from carrier's equipment and placing it at a point at street level not more than 20 feet distant from said equipment, or at other than street level when vehicular elevator service or vehicular ramp is provided and made available to the carrier.</p> <p>TON means 2,000 pounds.</p> <p>TOW CAR means a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing or is otherwise exclusively used to render assistance to other vehicles.</p>
ø30	<p style="text-align: center;">APPLICATION OF TARIFF--CARRIERS</p> <p>øRates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act. They apply for the transportation of property by highway contract carriers and radial highway common carriers as defined in said Act.</p> <p>Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor subhaulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.</p>
ø Change, Decision No. 74760	
EFFECTIVE NOVEMBER 13, 1968	
Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 626	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
90	<p style="text-align: center;">ADVANCE CHARGES</p> <p>(a) Charges directly incidental to transportation of property by the carrier may be advanced to transportation companies or warehouses for account of consignors or consignees.</p> <p>(b) A charge of 49 cents per carrier freight bill will be assessed whenever a ** carrier advances charges of another carrier and performs no transportation service in connection with shipment or shipments covered by said freight bill.</p>
100	<p style="text-align: center;">CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS</p> <p>Rates named in Sections 3, 4, 5 and 6 apply to transportation, accessorial and other services specified herein during regular hours of 8:15 a.m. to 5:15 p.m. except Saturdays, Sundays and holidays as defined in Item No. 10.</p> <p>For services performed at request of consignor or consignee at other than during the times specified above, and on Saturdays, Sundays or holidays, charges shall be assessed upon the rates named in this tariff, plus an additional charge equal to the cost to the carrier of the overtime involved.</p>
104	<p style="text-align: center;">CHARGES FOR ESCORT SERVICE</p> <p>In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring escort service.</p> <p>(a) A charge of \$6.85 per hour, plus 8 cents per actual mile, shall be made for each escort vehicle and driver furnished, for the time and distance said vehicle and driver are engaged in such service. (See Notes 1 and 2.)</p> <p>(b) A charge shall be made equal to the actual cost of any bridge or ferry tolls incurred for each escort car.</p> <p>NOTE 1.--Service shall commence with departure of each escort vehicle from its point of dispatch and terminate with the return of each escort car to its point of dispatch, excluding off-duty hours.</p>

NOTE 2.—Charges for fractions of an hour shall be determined in accordance with the following table:

MINUTES		
Over	Not Over	
0	8 omit
8	23 shall be 1/4 hour
23	38 shall be 1/2 hour
38	53 shall be 3/4 hour
53	60 shall be 1 hour

CHARGES FOR PERMIT SHIPMENTS

In addition to all other applicable charges, the following charges shall be assessed on shipments requiring transportation permits:

- 106
- (a) A charge of \$8.25 shall be made for the service of securing each permit, and
 - (b) A charge shall be made equal to the fee, if any, assessed by the governmental agency for issuing each permit.

Change)
 ** Reference to "city" eliminated) Decision No. 74760

EFFECTIVE NOVEMBER 13, 1968

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 627

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
ø111	<p data-bbox="393 419 1306 489">COLLECT ON DELIVERY (C.O.D.) SHIPMENTS (Continued) (Items Nos. 110, 111 and 112)</p> <p data-bbox="340 549 1438 783">ø8. The bond prescribed herein shall not be required of carriers while engaged as independent-contractor sub-haulers; or ** carriers operating within lawfully established pickup and delivery limits as agents of a common carrier in the performance for such common carrier of transfer, pickup or delivery services provided for in the lawfully published tariffs of such common carrier.</p> <p data-bbox="431 809 1344 848">9. Every carrier handling C.O.D. shipments shall:</p> <ul style="list-style-type: none"><li data-bbox="508 874 1438 1109">(a) Establish and maintain a separate bank account or accounts wherein all moneys (other than checks or drafts payable to consignor or payee designated by consignor) collected on C.O.D. shipments will be held in trust until remitted to payee, except C.O.D. moneys which are remitted within five days after delivery.<li data-bbox="508 1135 1438 1604">(b) Establish and maintain a record or records of all C.O.D. shipments in such manner and form as will plainly and readily show the following information with respect to each shipment:<ul style="list-style-type: none"><li data-bbox="596 1304 1268 1343">(1) Number and date of freight bill.<li data-bbox="596 1343 1384 1408">(2) Name and address of consignor or other person designated as payee.<li data-bbox="596 1408 1235 1447">(3) Name and address of consignee.<li data-bbox="596 1447 1125 1486">(4) Date shipment delivered.<li data-bbox="596 1486 1306 1525">(5) Amount of C.O.D. moneys collected.<li data-bbox="596 1525 1199 1565">(6) Date C.O.D. moneys remitted.<li data-bbox="596 1565 1400 1604">(7) Check number or other identification of remittance to payee.<li data-bbox="508 1630 1422 1994">(c) Collect the full amount of the C.O.D. moneys at the time C.O.D. shipments are delivered to the consignee and remit all such collections to consignor, or to other persons designated by the consignor on such shipments, promptly and in no event later than 10 days after delivery to the consignee, unless consignor instructs otherwise in writing. All remittances for C.O.D. shipments shall refer to or otherwise identify the C.O.D. shipment or shipments covered by the remittance.<li data-bbox="508 2020 1438 2150">(d) Not accept checks or drafts (other than certified checks, cashier's checks, or money orders) in payment of C.O.D. charges unless authority has been received from the consignor.

(e) Notify the consignor immediately if a C.O.D. shipment is refused or cannot be delivered on the carrier's initial attempt. Upon instructions from the consignor the carrier may attempt subsequent deliveries, the charge for each such delivery, or attempted delivery, being determined by the applicable freight charges from carrier's terminal to the point of destination. The carrier may also return the shipment to the consignor upon his request, subject to a charge equal to the applicable freight charges on the original outbound movement.

(Continued in Item No. 112)

∅ Change)
** Reference to "city" eliminated) Decision No. 74760

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San Francisco, California.
Correction No. 628

Item No.	SECTION NO. 5 - UNIT RATES, RULES AND REGULATIONS
550	<p style="text-align: center;">APPLICATION OF RATES</p> <p>(a) Rates in this section apply only when, prior to the transportation of the property, the shipper enters into a written agreement with the carrier as provided in paragraph (c) hereof, and only when the property is transported by one carrier for one shipper. When such agreement is executed, rates otherwise provided in this tariff will not apply.</p> <p>(b) Rates in this section will not be governed by the general rules and regulations in this tariff other than the following:</p> <p style="padding-left: 40px;">Definitions in Item No. 10 of: Escort Service, Holidays, Permit Shipment, Point of Destination, Point of Origin, Rate, and Same Transportation; Provisions of: Item No. 100, Charges for Service at Other Than Regular Working Hours; Item No. 104, Charges for Escort Service; Item No. 106, Charges for Permit Shipments; Items Nos. 110, 111 and 112, Collect on Delivery (C.O.D.) Shipments; Item No. 120, Collection of Charges; Item No. 130, Collection of Loss and/or Damage Claims; and Item No. 190, Marking of Packages.</p> <p>(c) Prior to the transportation of the property, the shipper must enter into a written agreement with the carrier to ship at rates no lower than those provided in this section, stating specifically the class of service desired. No single agreement shall cover shipments transported over a period in excess of one year. The agreement shall be in substantially the following form, and the original or a copy thereof shall be retained and preserved by the carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p>
	<div style="border: 1px solid black; padding: 10px;"> <p style="text-align: right;">Date -----</p> <p style="text-align: center;">In accordance with the provisions of Section 5 of Minimum Rate Tariff 19, I hereby elect to have ----- ----- transported by (Identify Transaction)</p> <p>----- from ----- to (Name of Carrier) (Point of Origin)</p> <p>----- at the rate of ----- (Point of Destination) (See Note)</p> <p>under the rates and provisions of Item No. ----- (See Note)</p> <p>of said tariff.</p> <p>Shipper ----- By ----- (Name in Full) (Name in Full)</p> <p>Confirmed:</p> <p>Carrier ----- By ----- (Name in Full) (Name in Full)</p> <p>NOTE.-In the event shipper and carrier agree to a basis higher than that provided in this section, but in the same unit or units of measurement in which the minimum basis is stated, the agreed basis may be stated in place of the item number.</p> </div>

(d) Rates in this section include the services of the driver only. When, at the request of shipper, carrier furnishes help in addition to the driver, an additional charge shall be made at the rate of \$7.80 per man per hour, minimum charge one hour for each helper used. The time for computing charges shall not be less than the actual time the helpers are engaged in performing the service.

(e) Rates apply for the exclusive use of the equipment furnished.

Change, Decision No. 74760

EFFECTIVE NOVEMBER 13, 1968

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San Francisco, California.
Correction No. 629

Item No.	SECTION NO. 6 - SPECIAL RATES		
6530	If the rates provided in tariffs referred to in Note 1 below result in a lower charge than the rates set forth elsewhere in this tariff for the same transportation of the same shipment of property, such lower charge will apply.		
	Freight ----- Inhaul and Shipping		
	BETWEEN	AND	MINIMUM CHARGE
Docks, Piers or Wharves	Public Warehouses directly served by Railroad Spur Track Facilities	The sum of car loading and car unloading charges at Dock, Pier or Wharf and at Public Warehouse plus Railroad switching rates and car rental rates. (See Note 1.)	
	Industries and Warehouses other than Public Warehouses directly served by Railroad Spur Track Facilities	Car loading or car unloading charge at Dock, Pier or Wharf plus Railroad switching rates and car rental rates. (See Note 1.)	
<p>Note 1.—</p> <p>(a) Car loading or car unloading at the dock, pier or wharf shall be at the rates published in San Francisco Bay Carloaders Tariff Bureau Car Servicing Tariff No. 1-C, F.M.B.T. No. 2, of C. R. Nickerson, Agent, amendments thereto and reissues thereof.</p> <p>(b) Railroad switching rates and railroad car rental rates shall be as published in State of California Operating State Belt Railroad, Terminal Tariff No. 6, I.C.C. No. 8, and the tariffs of rail carriers lawfully on file with the Commission, amendments thereto and reissues thereof.</p> <p>(c) Loading or unloading at Public Warehouses shall be as published in California Warehouse Tariff Bureau Tariff 1-E, Cal.P.U.C. No. 83 (L.A. Bailey Series), and 3-E, Cal.P.U.C. No. 98 (L.A. Bailey Series), of Jack L. Dawson, Agent, amendments thereto and reissues thereof.</p> <p>(d) Whenever car loading or car unloading charges in the tariffs named in paragraphs (a), (b) or (c) above, are based on hourly rates, such rates shall apply for the actual time involved in loading or unloading the motor carrier's equipment, subject to the provisions of rules applicable in connection with such hourly rates.</p>			
Change, Decision No. 74760			
EFFECTIVE NOVEMBER 13, 1968			
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Correction No. 630			