

ORIGINAL

Decision No. 74804

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. 5604
to the transportation of motor)	
vehicles and related items (com-)	
modities for which rates are pro-)	
vided in Minimum Rate Tariff No. 12).)	

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 74532 dated August 13, 1968, the Commission found that Distance Table 7 and its separate Book of Maps contain the reasonable constructive miles and governing rules to be used in connection with the Commission's minimum rate tariffs in place of Distance Table 6 and that the resulting changes provide just and reasonable minimum rates and rules. The Commission concluded that Distance Table 7 and its separate Book of Maps should be adopted to supersede Distance Table 6 effective January 1, 1969, and that minimum rate tariffs now referring to Distance Table 6 should be amended accordingly. The necessary amendment to Minimum Rate Tariff No. 12 will be made by the order herein.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 12 (Appendix "A" of Decision No. 50218, as amended) is further amended by incorporating therein, to become effective January 1, 1969, Seventh Revised Page 4 attached hereto and by this reference made a part hereof.

2. The basis for constructively increasing highway mileages prescribed by the Commission in Decision No. 74532 dated August 13, 1968, 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. 12.

3. The rates and charges set forth in Minimum Rate Tariff No. 12 determined under the provisions of Distance Table 7 and the rules 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 motor vehicles and related items between the points for which rates are provided in the tariff.

4. Common carriers are hereby authorized to adopt Distance Table 7 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.

5. Common carriers need not file with this Commission a distance table for the transportation of motor vehicles and related items 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 7 issued by the Public Utilities Commission of the State of California."

6. Tariff publications required to be made by common carriers as a result of the order herein shall be made effective January 1, 1969, 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, 1969, 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 1, 1969. Tariff publications required or authorized herein shall be filed not earlier than the effective date of this order.

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 references to the prior orders authorizing long- and short-haul departures and to this order.

8. In all other respects Decision No. 50218, as amended, shall remain in full force and effect.

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

Dated at Los Angeles, California, this 8th day of October, 1968.

William J. Lyons
President
William J. Lyons
Secretary
Paul C. Morrissey
Commissioners

SECTION NO. 1--RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items Nos. 10 and 15)</p> <p>CARRIER means a radial highway common carrier or highway contract carrier, as defined in the Highway Carriers' Act.</p> <p>CARRIER'S EQUIPMENT means any motor truck, tractor, or other self-propelled highway vehicle, used for the transportation of property over the public highways and any other vehicle drawn thereby.</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 for transportation by land; 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; 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 7.</p> <p>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <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.</p> <p>MOTOR VEHICLE means any self-propelled vehicle designed for the transportation of persons or property or persons and property (other than upon fixed rails or tracks), whether or not in operating condition, including any such vehicle without one or more parts which may have been damaged, removed, broken off or torn away; also any auto show motor vehicle with one or more integral parts useful for exhibit purposes only.</p>	<p style="text-align: center;">10</p>

POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant or receiving area of one consignee shall be considered as one point of destination. An industrial 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 precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single industrial plant or shipping area of one consignor shall be considered as one point of origin. An industrial 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.

RAILHEAD means a railroad or industrial facility from or to which common carrier railroad rates apply for the transportation of motor vehicles.

RATE includes a charge and, also, the rules and regulations governing and the accessorial charges applying in connection therewith.

SAME TRANSPORTATION means transportation of the same kind and quantity of property between the same points, and subject to the same limitations, conditions, and privileges, but not necessarily in an identical type of equipment.

(Continued in Item No. 15)

Change, Decision No. **74804**

EFFECTIVE JANUARY 1, 1969

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No.57