

ORIGINAL

Decision No. 74995

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) Case No. 5433
carriers relating to the transportation)
of livestock and related items (commo-)
dities for which rates are provided in)
Minimum Rate Tariff No. 3-A).)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 74993, 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)(6) and 203(b)(8) of the Interstate Commerce Act. The decision also provided that Minimum Rate Tariff No. 3-A should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

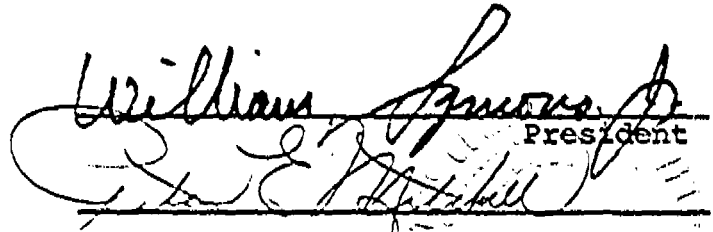
1. Minimum Rate Tariff No. 3-A (Appendix A of Decision No. 55587, as amended) is hereby further amended by incorporating therein, to become effective January 4, 1969, Sixth Revised Page 5 attached hereto and by this reference made a part hereof.
2. Tariff publications authorized to be made by common 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 to the extent necessary to comply with this order; and such 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. 55587, 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 24th day of November, 1968.


President



Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF TARIFF-CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act and apply for transportation of livestock by radial highway common carriers and highway contract carriers, as defined in said Act.</p> <p>When livestock in continuous through movement is transported by two or more carriers, the rates provided herein shall be the minimum rates for the combined transportation.</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>	20
<p style="text-align: center;">APPLICATION OF TARIFF-TERRITORIAL</p> <p>Rates in this tariff apply for transportation of shipments of livestock between all points within the State of California, except:</p> <p>(a) Transportation service all of which is rendered in territory within the exterior boundaries of a city.</p> <p>(b) Shipments having both point of origin and point of destination within the Los Angeles Drayage Area, as described in Minimum Rate Tariff No. 5, amendments thereto and reissues thereof.</p> <p>(c) Shipments having point of origin or destination at Corn Fed Cattle Co. feed lot, 5440 Southern Avenue, South Gate, on the one hand and point of destination or origin within the Los Angeles Drayage Area referred to in exception (b) of this item on the other.</p> <p>(d) Shipments having both point of origin and point of destination within Metropolitan Zones 301, 302, 303, 304, 305, 306, 307 and 308 of the San Diego Drayage Area as described in Minimum Rate Tariff No. 9-B.</p>	30

APPLICATION OF TARIFF-COMMODITIES

Rates in this tariff apply for the transportation of livestock, (See Exceptions) viz.:

Barrows, Boars, Bulls, Butcher Hogs, Calves, Cattle, Cows, (1) Dairy Cattle, Ewes, Feeder Pigs, Gilts, Goats, Heifers, Hogs, Kids, Lambs, Oxen, Pigs, Rams (Bucks), Sheep, (2) Sheep Camp Outfits, Sows, Steers, Stags, Swine, or Wethers.

- (1) For specific rates on Dairy Cattle, see Section 3 of this tariff.
- (2) For application of rates on Sheep Camp Outfits, see Item No. 120.

EXCEPTIONS - Rates do not apply to the transportation of: 640

- (a) Property of the United States or property transported under an agreement whereby the United States contracted for the carrier's services.
- *(b) Property which is exempt from regulation by the Interstate Commerce Commission under Sections 203(b) (6) and 203(b) (8) of the Interstate Commerce Act.
- (c) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster.

Ø Change)
* Addition)

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EFFECTIVE JANUARY 4, 1969

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 80