

Decision No. 75002

ORIGINAL

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 (com-)
modities for which rates are provided)
in Minimum Rate Tariff No. 10).)

Case No. 5440

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 Section 203(b) (8) of the Interstate Commerce Act. 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 January 4, 1969, Nineteenth 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 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. 44633, 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 26th day of November, 1968.

William J. Quinn
President
John J. [unclear]
William W. Bennett

Commissioners

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

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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 RATES</p> <p>Rates provided in this tariff apply for the transportation of shipments from point of origin to point of destination, and include the services of the driver only for loading into and unloading from carrier's motor vehicle. (See Note)</p> <p>NOTE.--Rates do not apply to the transportation of:</p> <ul style="list-style-type: none"> (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 Section 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 or state of extreme emergency. 	<p>20</p>
<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. They apply for the transportation of property by radial highway common carriers, highway contract carriers and cement contract carriers, as defined in said Highway Carriers' Act.</p> <p>When property in continuous through movement is transported by two or more such carriers, the rates (including minimum charges) provided herein shall be the minimum rates for the combined transportation.</p>	<p>30</p>
<p style="text-align: center;">APPLICATION OF TARIFF-COMMODITIES</p> <p>Rates in this tariff apply for the transportation of Cement, hydraulic, masonry, natural or Portland, in bulk or in packages. (Subject to Item No. 65.)</p>	<p>40</p>

Rates in this tariff also apply to the following commodities when shipped in mixed shipments with not less than fifty percent (50%), by weight, of cement in packages:

Lime, common, including magnesium lime, hydrated or hydraulic, quick or slaked, in packages;
Cement flue dust, in packages; and/or
Limestone, powdered, in packages.

Except as otherwise provided in Item No. 220, rates in this tariff do not apply to shipments of empty pallets.

COMPUTATION OF DISTANCES

Subject to the exceptions provided in Items Nos. 55, 56 and 58, distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route computed in accordance with the method provided in the Distance Table.

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∅ Change)
* Addition) Decision No. 75002

EFFECTIVE JANUARY 4, 1969

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 130