

ORIGINAL

Decision No. 75006

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 motor vehicles and related items)
(Commodities for which rates are pro-)
vided in Minimum Rate Tariff No. 12).)

Case No. 5604

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. 12 should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 12 (Appendix A of Decision No. 50218, as amended) is hereby further amended by incorporating therein, to become effective January 4, 1969, Fifth Revised Page 6 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. 50218, 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. Lyons Jr.
President
John P. Mitchell
William L. Bennett

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 data-bbox="525 456 1108 486">APPLICATION OF TARIFF - CARRIERS</p> <p data-bbox="249 526 1314 682">(a) Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act. They apply for the transportation of commodities described in paragraph (a) of Item No. 50, by carriers as defined in Item No. 10.</p> <p data-bbox="249 715 1331 934">(b) Rates, rules and regulations provided 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 data-bbox="505 1030 1149 1060">APPLICATION OF TARIFF - TERRITORIAL</p> <p data-bbox="249 1093 1314 1161">Rates in this tariff apply to transportation of shipments between all points within the State of California.</p>	30
<p data-bbox="488 1244 1166 1275">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p data-bbox="249 1307 1298 1464">Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs.</p>	40
<p data-bbox="505 1559 1149 1590">APPLICATION OF TARIFF - COMMODITIES</p> <p data-bbox="249 1622 1273 1716">(a) Except as otherwise provided in paragraph (b), rates in this tariff apply to the secondary movement of commodities described below by truckaway service:</p> <ol data-bbox="343 1748 1348 2157" style="list-style-type: none"><li data-bbox="343 1748 1166 1779">1. Motor vehicles and motor vehicle chassis.<li data-bbox="343 1816 1273 1935">2. Parts, spare parts, extra parts, or accessories for a motor vehicle when accompanying the vehicle to which they belong or for which they are intended.<li data-bbox="343 1973 1348 2157">3. Personal effects or other commodities aggregating 300 pounds or less when tendered for transportation with a motor vehicle or motor vehicle chassis. Such personal effects or other commodities shall not be subject to rates provided in any other minimum rate tariff issued by the Commission	50

(b) Rates in this tariff do not apply to the following:

1. Motor vehicles weighing less than 1,000 pounds, each.
2. Motor vehicles weighing in excess of 5,000 pounds, each.
3. Property of the United States, state, county or municipal governments or property transported under an agreement whereby the governments contracted for the carrier's services.
4. Motor vehicles drawn under their own power or towed wholly upon their own wheels.
5. Trailers, semitrailers, and dollies.
6. Special mobile equipment as described in Item No. 15.
7. Motor vehicles when towed by a tow car except when the tow car movement is part of a continuous through movement involving use of other transport equipment by the same carrier.
8. 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.
- *9. Property which is exempt from regulation by the Interstate Commerce Commission under Section 203(b) (8) of the Interstate Commerce Act.

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. 58