Decision No. 76306

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation for the purpose of considering and determining revisions in or reissues of Minimum Rate Tariff No. 14-A.	)	Case No. 7857 (Petition for Modification No. 25) (Filed August 8, 1969)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 76305, entered today in Cases Nos. 5432 and 7857 (Petitions for Modification Nos. 551 and 25, respectively) authorized amendment of the commodity descriptions on grain and related articles in Minimum Rate Tariffs Nos. 2 and 14-A to include therein cocoa bean shells or hulls. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 14-A should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 14-A (Appendix A to Decision No. 67397, as amended) is hereby further amended by incorporating therein, to become effective December 1, 1969, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are by this reference made a part hereof.

2. Tariff publications authorized 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 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 pages incorporated in this order.

3. Common carriers, in establishing and maintaining the tariff provisions 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 tariff provisions 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. 67397, as amended, shall remain in full force and effect.

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

Dated at Los Angeles, California, this 21st day of October, 1969.

William Symons Jr.
President

Commissioners

C. 7857 (Pet. 25) - eh

APPENDIX A TO DECISION NO. 76306

List of Revised Pages to Minimum Rate Tariff No. 14-A

Authorized by Said Decision

Seventh Revised Page 4

Fourth Revised Page 5

First Revised Page 6

Third Revised Page 7

Fifth Revised Page 31-B

(END OF APPENDIX A LIST)

ø SECTION 1 - RULES OF GENERAL APPLICATION | ITEM

DEFINITION OF TECHNICAL TERMS NOT DEFINED
IN INDIVIDUAL ITEMS
(Items 10 and 11)

CARRIER means a radial highway common carrier or a highway contract carrier as defined in the Highway Carriers' Act.

CARRIER'S EQUIPMENT means any motor truck, motor trailer, trailer, semitrailer, or any combination of such highway vehicles operated as a single unit.

COMMON CARRIER RATE means:

1. 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;

2. 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;

3. 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)(6) or 203(b)(6) or 203(b)(8) of Part II of the Interstate Commerce Act.

CONSIGNEE means the person, firm or corporation shown on the shipping document as the party to whom the property is physically delivered by the carrier.

CONSIGNOR means the person, firm or corporation shown on the shipping document as the party who physically delivers the property to the carrier for transportation.

DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee, or other party. 10

DISTANCE TABLE means Distance Table 7.

GOVERNING CLASSIFICATION means National Motor Freight Classification A-10, including supplements thereto or reissues thereof.

IN BULK means not in bags, sacks, packages, or other containers, except bins, or except containers otherwise specified.

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.

POINT OF DESTINATION means the location at which property is delivered to the consignee or his agent. All points within a single storage yard or structure, or within a single plant or receiving area of one consignee shall be considered as one point of destination. A 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 location at which property is delivered by the consignor or his agent to the carrier for transportation. All locations at a single field or roadside stack, or within a single storage yard or storage structure, or within a single plant or shipping area of one consignor shall be considered as one point of origin. A 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. The point of origin of a field pickup shipment (see Item 180) shall be the point in a single field or farm site nearest the point of destination.

POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift truck equipment.

(Continued in Item 11)

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ø Change in format only, Decision No.

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ø SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
DEFINITION OF TECHNICAL TERMS NOT DEFINED IN INDIVIDUAL ITEMS (Items 10 and 11) RATE includes charge and, also, the ratings, minimum weight, 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. SHIPMENT means a quantity of property transported for one debtor and tendered by one consignor at one point of origin at one time for one consignee at one point of destination, for which a single shipping document has been issued. 1. A shipment may be transported in two or more lots as provided in Items 140 and 141 (Multiple Lot Shipments). 2. A shipment may be picked up from more than one point of origin as provided in Items 150 and 151 (Split Pickup) or delivered to more than one point of destination as provided in Items 160 and 161 (Split Delivery). TEAM TRACK means a point at which property may be loaded into or unloaded from rail cars by the public generally.	11
APPLICATION OF TARIFF--CARRIERS 1. Rates provided in this tariff are minimum rates for transportation by carriers as defined in Item 10. 2. When property in continuous through movement is transported by two or more such carriers, the rates provided herein shall be the minimum rates for the combined transportation. 3. This tariff does not apply to transportation services performed by independent-contractor subhaulers as defined in Item 10 when such transportation is performed for other carriers defined in the Public Utilities Act. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent-contractor subhaulers are performing transportation service.	20
APPLICATION OF TARIFF--TERRITORIAL The rates in this tariff apply for the transportation of shipments between all points within the State of California, except shipments between the Port of Sacramento on the one hand and adjacent plants of Farmer's Rice Growers Cooperative and Rice Growers Association of California on the other hand.	30
ø Change in format only, Decision No. 76306	

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ØSECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
SHIPMENTS TO BE RATED SEPARATELY Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier. Shipments may be picked up in multiple lots in accordance with the provisions of Items 140 and 141. Component parts of split pickup or split delivery shipments may be combined under the provisions of Items 150 and 151 or 160 and 161.	50
GROSS WEIGHT Charges shall be assessed on the gross weight of the shipment, except as provided in Item 70.	60
RATES BASED ON VARYING MINIMUM WEIGHTS When charges computed upon the actual weight of a shipment exceed the charges computed upon a greater minimum weight for which a lower rate is provided, the latter shall apply.	70
UNITS OF MEASUREMENT TO BE OBSERVED Rates or charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.	80
COMPUTATION OF DISTANCES Mileage to be used in determining distance rates shall be the shortest mileage via any public highway route, computed as provided in the Distance Table. When stopping in transit service is performed, distances shall be computed via the transit point. (See Item 190)	90
APPLICATION OF RATES 1. Rates in Section 3 and Section 4 include the services of the driver and one helper. 2. Rates in Section 5 include the services of the driver for loading or unloading the carrier's equipment, subject to the provisions of Item 110, Charges for Accessorial Services.	100
CHARGES FOR ACCESSORIAL SERVICES 1. When, at the request of the debtor, consignor, or consignee, the carrier performs any accessorial service which is not authorized to be performed under rates provided in this tariff, and for which a charge is not otherwise provided, additional charges provided in Item 130 shall be assessed. The charge provided for unit of equipment shall apply whenever the accessorial service requires its use or whenever the unit of equipment is inactivated by reason of the driver or other carrier employee being engaged in such service. 2. The provisions of this item shall not apply when accessorial service is provided for any reason other than debtor's, consignor's or consignee's request or order. The accessorial service performed and the reason for providing such service shall be recorded on shipping and accessorial service documents.	110

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ØSECTION 1--RULES OF GENERAL APPLICATION (Continued) | ITEM

DELAYS TO EQUIPMENT

1. Except as provided in paragraph 2, a period of two hours for loading and two hours for unloading shall be allowed for each unit of equipment.

2. A period of four hours for loading and four hours for unloading shipments of whole grain shall be allowed for each unit of equipment.

3. "Unit of Equipment" means a motor truck, and/or trailer or semitrailer, exclusive of motor tractor. — 120

4. Charges for loading and/or unloading time in excess of free time authorized in paragraph 1 of this item are provided in Item 130.

5. A charge of 2½¢ per 100 pounds will be made by the carrier on all shipments of whole grain on all equipment unloaded or loaded after free time has elapsed.

CHARGES FOR ACCESSORIAL SERVICES AND FOR EQUIPMENT HELD AFTER FREE TIME HAS ELAPSED

The charges provided in this item apply for accessorial services, as provided in Item 110, and for time in excess of the free time specified in Items 120 and 190. — 130

	Charges in Cents For First 30 Minutes or Fraction	Charges in Cents For Each Additional 15 Minutes or Fraction
(a) For driver or other carrier employee, per man ----------	420	210
(b) For unit of equipment (each motor truck, trailer or semitrailer, exclusive of motor tractors) ---	65	33

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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

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SECTION 5--DISTANCE COMMODITY RATES (Continued)	ITEM
(Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification, except as to packing requirements and form in which the commodity is shipped.)	
LIST 3--FEED, ANIMAL OR POULTRY, subject to Note 1 Feed, as described in Items 66700 through 67480 and 67520 through 67882 ("Feed Group") of the Governing Classification, not frozen. Alfalfa, chopped and pressed into cubes or pellets, airdry or otherwise dried. Feed, animal or poultry, consisting entirely of Grain or Grain Products named in Lists 1 or 2 above, when not fit for human consumption. Grit, processed from rock or shell. Hulls, cottonseed (54410, 54430). Hulls, sunflower seed (179980). Hulls, NOI, whole or ground. *Hulls or Shells, cocoa bean, ground or not ground, in packages or in bulk. Limestone, crushed or ground, feed grade. Meal, feather. Mineral Mixtures (see Note 2). Nut hulls or shells, NOI (175460). Pomace (194220, 194240, 194540, 194620, 194880, and 194990), subject to Note 3. Pomace, NOI, subject to Note 3. (1)(2)Shell Marl, crushed, ground, or powdered. Urea (47220). NOTE 1.--Provisions making reference hereto will not apply on any commodity for which rates are named in Section 3. NOTE 2.--Includes Mineral Mixtures containing Calcium Carbonate, Copperas, Epsom Salts, Crude Salt (feed grade), Sulphate of Soda, Glauber's Salts, Sulphur or Potassium Iodide, with or without not in excess of 10% by weight of other unnamed ingredients. NOTE 3.--Applies only when in physical mixture with other articles in Lists 1, 2 or 4. (1)Unless otherwise exempt under the provisions of Item 40.	ó520

(2) Effective March 15, 1970. 76306

ó Change) Decision No.
* Addition)

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(EXCEPT AS NOTED)

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SAN FRANCISCO, CALIFORNIA.

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