

ORIGINAL

Decision No. 76412

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 property)
 in the City and County of San)
 Francisco, and the Counties of)
 Alameda, Contra Costa, Lake, Marin,)
 Mendocino, Monterey, Napa, San)
 Benito, San Mateo, Santa Clara,)
 Santa Cruz, Solano and Sonoma.)

Case No. 5441
 Order Setting Hearing
 Decision No. 74992
 November 26, 1968

OPINION AND ORDER

By Decision No. 76408, entered today in Case No. 5441 (Order Setting Hearing Decision No. 74992 of November 26, 1968) et al., further disposition was made of the existing exception ratings and rules contained in Minimum Rate Tariff 19, thereby reflecting the recent adoption of National Motor Freight Classification A-10 to otherwise govern said tariff. The decision also provided that Minimum Rate Tariff 19 should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff 19 (Appendix A to Decision No. 41363, as amended) is further amended by incorporating therein, to become effective January 3, 1970, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix by this reference are made a part hereof.
2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 41363, as

amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 19 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 19 rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 19 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 19 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 19 rates herein.

5. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 19 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 19 rates herein.

6. Tariff publications resulting in increases required or 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 twentieth day after the effective date of this order, on not less than twenty days' notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than January 3, 1970; as to increases which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date of this order; and tariff publications resulting in reductions may be made

effective not earlier than the twentieth day after the effective date of this order, and may be made effective on not less than twenty 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.

7. Common carriers, in establishing and maintaining the rates 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

8. In all other respects said Decision No. 41363, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 12th day of NOVEMBER, 1969.

William Lyons J.
President

Augustus

J. P. Beckman

Thomas

Yvonne L. Stinson
Commissioners

C. 5441 (OSH D. 74992)

APPENDIX A TO DECISION NO. 26412

List of Revised Pages to Minimum Rate Tariff 19

Authorized by Said Decision

Twenty-first Revised Page 3

Twenty-second Revised Page 4

Seventeenth Revised Page 12

Eighth Revised Page 13

Sixth Revised Page 25

Fourteenth Revised Page 26

Eighth Revised Page 27

Thirteenth Revised Page 28

(END OF APPENDIX A LIST)

**INDEX OF COMMODITIES

Only those articles which are named in commodity items or in Exceptions to the Governing Classification are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Beans, vanilla	300	Fish	300
Butter	4279	Flour	392
Candy	280	Foodstuffs	300
Cereal Food Preparations	392	Freight	425
Cheese	290	Furniture, office	460
Cigarettes	396	*Gum, chewing	280
Cigars	396	Honey	300
*Chocolate	280	*Ice cream coating	280
*Coating, candy	280	*Icing powder	280
*Coating, ice cream	280	Jams and jellies	300
Cocoa, with or without sugar	300	Juice, Fruit	300
*Cocoa butter	280	*Kernels, corn, roasted	280
*Cocoa paste	280	*Licorice compound	280
Coffee, green	400,410	Liquors, Alcoholic	310
Coffee, roasted	300	Liquors, Malt	310
*Compound, licorice	280	Lumber	500
Compounds, Milk or chocolate	300		
Confectionery	280		
*Corn Kernels, roasted	280		
*Cough drops or tablets	280		
Dessert Preparations	300		

**Various commodities and items eliminated.

† Change)
 * Addition) Decision No. **76412**
 ** Eliminated)

EFFECTIVE

Correction 669

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

MINIMUM RATE TARIFF 19

****INDEX OF COMMODITIES (Continued)**

Only those articles which are named in commodity items or in Exceptions to the Governing Classification are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Malt Liquors	310	Preserves	300
Meats, Canned	300	Snuff	396
Mushrooms	300	Spices	410
Newsprint Paper	470	Sugar	530
*Nuts, edible	280	Table Sauces	300
Oleomargarine	279	Tobacco, manufactured	396
Olives	300	Vanilla Beans	300
Paper, Newsprint	470	Vermouth	310
Petroleum and Petroleum Products	320	Vinegar	300
Pickles	300	Wine	310
Poultry and Poultry Parts	320		
*Powder, icing	280		

** Various commodities and items eliminated.

g Change)
 * Addition) Decision No. **76412**
 ** Eliminated)

EFFECTIVE

Correction 670

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

(1)SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10 and 20)</p> <p>ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bulletproof glass, and which is manned by an armed crew.</p> <p>CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semitrailer, or any combination of such highway vehicles operated by the carrier.</p> <p>CITY DELIVERY or CITY DELIVERIES means the transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the City and County of San Francisco at other than a carrier's depot, dock, wharf, pier or landing.</p> <p>DANGEROUS ARTICLES means articles described in the Dangerous Articles Tariff.</p> <p>DANGEROUS ARTICLES TARIFF means Motor Carriers' Explosives and Dangerous Articles Tariff 13, Cal.P.U.C. 8 of American Trucking Associations, Inc., Agent, including revisions thereto or successive issues thereof.</p> <p>ESCORT SERVICE means the furnishing of pilot cars or vehicles by a carrier as may be required by any governmental agency to accompany a shipment for highway safety.</p> <p>EXCEPTION RATINGS TARIFF means Exception Ratings Tariff 1 issued by the Commission.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-10.</p> <p>HOLIDAYS means New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Admission Day, Thanksgiving Day and Christmas Day. When such holidays fall on Sunday, the following Monday shall be considered as a holiday.</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>INHAUL means transportation of property received from another carrier at a depot, dock, wharf, pier, landing or other point at which facilities are maintained for the loading of property into or upon, or the unloading of property from rail cars or vessels, or received from another carrier at truck loading facilities of plants or industries located at such rail or vessel loading or unloading point, when originating beyond the limits of the City and County of San Francisco; and also means transportation of property from public warehouses to wholesalers.</p> <p>OUTHAUL means transportation of property in City Delivery and Shipping as defined in Items 10 and 20.</p> <p>PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires special authority from a governmental agency regulating the use of highways, roads or streets for the transportation of such shipment in whole or in part.</p> <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.</p> <p>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.</p> <p style="text-align: center;">(Continued in Item 20)</p>	<p>610</p>
<p>(1) Certain definitions transferred to Eighth Revised Page 13.</p> <p> † Change) * Addition) Decision No. 76412 </p>	
<p>EFFECTIVE</p>	
<p>Correction 671</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items 10 and 20 series)</p> <p>POOL SHIPMENT means a shipment consisting of component parts which are for reshipment to two or more points of destination, such shipment being consigned to:</p> <ol style="list-style-type: none"> 1. A carrier with instructions for unloading, distribution and delivery of one or more component parts to consignees, their agents, or to other carriers; or 2. A consignee (other than a carrier) in connection with which pool shipment a carrier is instructed to unload, distribute and deliver one or more component parts to the consignee, subconsignees, their agents or to other carriers. <p>The term "delivery" as used in this definition means relinquishing the property to the consignee, his agent, or another carrier entitled to receive such property, whether at the point of distribution or elsewhere.</p> <p>POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift truck equipment.</p> <p>RATE includes charge, and also the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination.</p> <p>SHIPPING means transportation of property to another carrier when destined beyond the limits of the City and County of San Francisco.</p> <p>TAILGATE LOADING means loading of the shipment into or upon carrier's equipment from a point at street level not more than 20 feet distant from said equipment or at other than street level when vehicular ramp is provided and made available to the carrier.</p> <p>TAILGATE UNLOADING means unloading of the shipment from carrier's equipment and placing it at a point at street level not more than 20 feet distant from said equipment, or at other than street level when vehicular elevator service or vehicular ramp is provided and made available to the carrier.</p> <p>TON means 2,000 pounds.</p> <p>TOW CAR means a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing or is otherwise exclusively used to render assistance to other vehicles.</p>	<p>(1) 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 highway contract carriers, radial highway common carriers and dump truck carriers as defined in said act.</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>	<p>30</p>
<p>(1) Certain definitions transferred from Sixteenth Revised Page 12, Decision No. 76412</p>	
<p>EFFECTIVE</p>	
<p>Correction 672</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF	
<p style="text-align: center;">PACKING REQUIREMENTS</p> <p>Except as provided in Note 1, articles will not be subject to the packing requirements of the Governing Classification, but may be accepted for transportation in any container or any shipping form, providing such container or form of shipment will render the transportation of the freight reasonably safe and practicable.</p> <p>If two or more ratings which are subject to different packing requirements are provided for an article in the form in which it is shipped, the lowest of such ratings will apply.</p> <p>The term "form in which it is shipped" means the form of the article itself as prepared for shipment or for the trade (exclusive of packing requirements), such as set up, knocked down, nested, not nested, compressed, not compressed, folded flat, not folded flat, in metal can inner containers, in glass bottle inner containers, in carton inner containers, in bulk (not in inner containers), dry, liquid, paste, solid, powdered, granulated. The term "packing requirements" means (1) the outer shipping containers such as boxes, barrels, crates, bags, and (2) the shipping forms such as bundles, bales, rolls, loose, on skids (other than lift truck or platform), which are provided in the Governing Classification.</p> <p>NOTE 1.--The provisions of this item will not apply when specific packing requirements are provided in connection with Exceptions to the Governing Classification or in connection with commodity rates.</p>	*(E) 270
<p style="text-align: center;">APPLICATION OF EXCEPTION RATINGS NAMED IN THIS TARIFF</p> <p>Unless otherwise specifically provided in individual items in this Section, the exception ratings named herein apply as follows:</p> <p>(a) Exception ratings provided in this Section which are designated as truckload ratings or are made subject to specified minimum weights supersede the "truckload" ratings and minimum weights in the Governing Classification, or Sections 2-B or 2-C Exception Ratings Tariff, but do not supersede "less-truckload" or "any quantity" ratings provided in the Governing Classification or Sections 2-A or 2-C of the Exception Ratings Tariff.</p> <p>(b) Exception ratings provided in this Section which are designated as "less-truckload" or "any quantity" ratings, or are not subject to specified minimum weights supersede the "less-truckload" and "any quantity" ratings shown in the Governing Classification or Sections 2-A or 2-C of the Exception Ratings Tariff, but do not supersede the "truckload" ratings and minimum weights in the Governing Classification, Sections 2-B or 2-C of the Exception Ratings Tariff, or in this tariff.</p>	271
<p style="text-align: center;">APPLICATION OF CLASS RATES THAT ARE PERCENTAGES, MULTIPLES OR PROPORTIONS OF SPECIFIC CLASS RATINGS</p> <p>Class ratings which are based on percentages, multiples or proportions of Class 100 or other specified class ratings are not restricted in their application solely to the minimum class rates in the any quantity weight brackets but will apply in connection with the minimum weight brackets set forth in this tariff applicable to the shipment transported.</p>	272
<p style="text-align: center;">ACCESSORIAL CHARGES NOT TO BE OFFSET BY TRANSPORTATION CHARGES</p> <p>Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected whenever such services are performed, regardless of the level of the transportation rate assessed. Such accessorial charges may not be waived on the basis that a higher-than-minimum transportation rate serves as an offset.</p>	274
<p>*(E) Expires with December 31, 1970</p> <p>* Addition, Decision No. 76412</p>	
EFFECTIVE	
Correction 673	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA

MINIMUM RATE TARIFF 19

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM (1)
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued) *(All item references are to the Governing Classification, except as otherwise provided.)		
Commodity	Less-truckload Rating	
Butter or Oleomargarine (55380) in cartons-----	70	* (2) 279
∅ Confectionery, viz.: (See Note 1) Candy fondant (candy filler), confectionery paste or powder, NOI, or icing paste (39940, 39942) Candy or confectionery, NOI, or chocolate candy or confectionery, including milk chocolate candy or confectionery (see Note 2) (39970, 39974) Chocolate (39990) Chocolate coating (40000) Coating, candy, other than chocolate (40010) Cocoa or cocoa paste (72520, 72522) Cocoa butter (72540) Cough drops or tablets, NOI (58730) Gum, chewing (40040) Ice cream coating, NOI (40050) Icing powder (40060, 40062) Licorice compounds, penny pieces (40080) Nuts, edible, shelled, plain, salted or sweetened (141660, 141760, 141780, 141820) Roasted Corn Kernels, whole, not popped, dry, salted or not salted NOTE 1.--The rating set forth in this item is subject to a released value of 75 cents per pound for each article. NOTE 2.--Not subject to the notes set forth under Items 39976 and 39978 of the Governing Classification.	55	∅ (3) 280
Cheese (55470 or 55490)-----	70	∅ (2) 290
(1) Item 290 transferred from Seventh Revised Page 27. (2) Commodities described in Item 279 were formerly shown in Item 280. (3) Certain commodities and ratings in ∅ Items 280 and 290 canceled. Governing Classification applies.		
∅ Change) * Addition) Decision No. 76412 ∅ Reduction)		
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction 674		

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM (1)
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		
*(All item references are to the Governing Classification, except as otherwise provided.)		
Commodity	Less-truckload Rating	
Foodstuffs, viz.: Beans, vanilla (72120) Cocoa, with or without sugar (72520) Coffee, roasted (72680) Dessert Preparations, dry (72760) Juice, fruit, canned (72440, 73550, 73570, 73600, 73620, 73630, 73650 or 73670) Milk and Chocolate Compounds (73790)	100 55 70 85 55 55	♂(2) 300
Foodstuffs, viz.: Fish, canned (72930, 72950, 72970 or 72990) Honey (73460) Jams, Jellies or Preserves (73240 or 73500) Meats, canned (134620) Mushrooms (74130) Olives (74180) Pickles (74300) Table Sauces (74710) Vinegar (75360) In packages each weighing less than 30 pounds----- In packages each weighing 30 pounds or over-----	70 55 70 55	
Liquors, Beverage, viz.: Liquors, Alcoholic, Domestic, NOI (111450) (Inhaul or shipping, and transportation from liquor bottling plants to wholesalers or public warehouses, only) Liquors, Alcoholic, Imported, NOIBN (Inhaul or shipping, only) Liquors, Malt (111470), in packages each weighing 20 pounds or over Wine or Vermouth (75430, 111490 or 111510), having a declared value not exceeding \$2.00 per gallon	70 85 55 70	♂(2) 310
Petroleum or Petroleum Products, including compounded oils or greases having a petroleum base, as described under the heading "Petroleum Products Group" in the Governing Classification	55	♂320
Poultry and Poultry Parts (134740) Less truckload----- Minimum Weight 10,000 pounds----- Minimum Weight 30,000 pounds-----	100 55 35	
(1) Item 290 transferred to Fourteenth Revised Page 26. Items 300, 310 and 320 transferred from Twelfth Revised Page 28, Eighth Revised Page 29 and Twelfth Revised Page 30, respectively.		
(2) Certain commodities and ratings in ♂Δ Items 300, 310 and 320 canceled. Governing Classification applies.		
♂ Change) * Addition) ◊ Increase) ◊ Reduction) Δ Change, neither increase) nor reduction)	Decision No.	76412
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA		
Correction 675		

(1) (2) SECTION 1--RULES OF GENERAL APPLICATION (Continued)

FIFTH REVISED PAGE 28-A CANCELS FOURTH REVISED PAGE 28-A	FOURTEENTH REVISED PAGE 31 CANCELS THIRTEENTH REVISED PAGE 31
NINTH REVISED PAGE 29 CANCELS EIGHTH REVISED PAGE 29	SEVENTH REVISED PAGE 32 CANCELS SIXTH REVISED PAGE 32
THIRTEENTH REVISED PAGE 30 CANCELS TWELFTH REVISED PAGE 30	

- (1) Items 300, 310 and 320 transferred to Eighth Revised Page 27.
- (2) Commodities and ratings in ~~00~~Items 301, 330 and 340 canceled.
 Certain commodities and ratings in ~~00~~Items 300, 310 and 320
 canceled. Governing Classification applies.

◊ Increase ◊ Reduction Δ Change, neither increase nor reduction))))	Decision No. 76412
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EFFECTIVE

Correction 676

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