

ORIGINAL

Decision No. 76425

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 any and all commodities between and )  
within all points and places in the )  
State of California (including, but not )  
limited to, transportation for which )  
rates are provided in Minimum Rate )  
Tariff No. 15) )

Case No. 7783  
(Petition for Modification  
No. 21)  
(Filed October 31, 1969)

OPINION AND ORDER

By this petition California Trucking Association seeks amendment of the definition, "Holidays", in the Commission's Minimum Rate Tariff No. 15 (Tariff No. 15) to include therein "the day after Thanksgiving". Petitioner requests that all common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission in this proceeding, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

Petitioner states that the existing labor contracts call for payment of so-called holiday pay on the day after Thanksgiving. Petitioner avers that the rates in Tariff No. 15 do not reflect the increased labor costs, which will be experienced by the carriers when transportation services are performed by them on the holiday in question. Petitioner declares that the written agreements maintained by such carriers with the shippers involved generally require assessment of the precise level of rates set forth in Tariff No. 15 and asserts that a critical situation

exists. Petitioner requests expedited action in this matter in order that the carriers will not be required to absorb substantial premium wages for services performed on the day after Thanksgiving.

Copies of the petition were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about October 31, 1969. The petition was listed on the Commission's Daily Calendar of November 4, 1969. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable and that the resulting minimum rates will be just, reasonable and nondiscriminatory minimum rates for the transportation involved. A public hearing is not necessary. The Commission concludes that the petition should be granted.

In the circumstances, the order which follows will be made effective November 24, 1969.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 15 (Appendix B of Decision No. 65072, as amended) is further amended by incorporating therein, to become effective November 28, 1969, Sixth Revised Page 4 attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 65072, 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 at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 15 are authorized to increase said rates by the same amount authorized for Minimum Rate Tariff No. 15 rates herein.

4. Tariff publications required 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 second day after the effective date of this order on not less than two days' notice to the Commission and to the public and shall be made effective not later than November 28, 1969.

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

6. In all other respects Decision No. 65072, as amended, shall remain in full force and effect.

The effective date of this order shall be November 24, 1969.

Dated at San Francisco, California this 12<sup>th</sup> day of November, 1969.

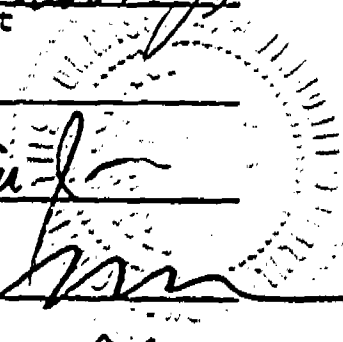
William A. Brown, Jr.  
President

[Signature]

[Signature]

[Signature]

Yvonne L. Sturgeon  
Commissioners



MINIMUM RATE TARIFF 15

SECTION 1--RULES	ITEM
<p style="text-align: center;"><b>DEFINITION OF TECHNICAL TERMS</b></p> <p><b>AIR MILE</b> means a statute mile measured in a straight line without regard to terrain features or differences in elevation.</p> <p><b>BASE OF OPERATIONS</b> means the single point described in the written agreement which shall be a point at which the shipper will regularly tender freight to the carrier or will regularly receive freight from the carrier.</p> <p><b>CARRIER</b> means a radial highway common carrier, a highway contract carrier or a cement contract carrier as defined in the Highway Carriers' Act.</p> <p><b>CARRIER'S EQUIPMENT</b> means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles operated as a single unit.</p> <p><b>CHILLED TEMPERATURE CONTROL SERVICE</b> means the service of providing protection against heat and maintaining the commodity at a temperature higher than 32 degrees Fahrenheit.</p> <p><b>DANGEROUS ARTICLES TARIFF</b> means Motor Carriers' Explosives and Dangerous Articles Tariff 13, Cal. PUC 8, of American Trucking Associations, Inc., Agent, including supplements thereto and reissues thereof.</p> <p><b>ESCORT SERVICE</b> 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><b>FROZEN TEMPERATURE CONTROL SERVICE</b> means the service of providing protection against heat and maintaining the commodity at a temperature of 32 degrees Fahrenheit or lower.</p> <p><b>GOVERNING CLASSIFICATION</b> means National Motor Freight Classification A-10, Cal. PUC 7, of National Motor Freight Traffic Association, Inc., Agent, including supplements thereto and reissues thereof.</p> <p><b>HOLIDAYS</b> referred to in this tariff means New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Admission Day (1), Thanksgiving Day, "the day after Thanksgiving(2), December 24(2) and Christmas Day. When one of the above holidays falls on a Sunday, the following Monday will be considered a holiday.</p> <p>(1) Applicable only in connection with Rate Bases "A" and "C" rates.  (2) Applicable only in connection with Rate Bases "B" and "D" rates.</p> <p><b>PERMIT SHIPMENT</b> 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><b>RATE</b> includes charge and also rules and regulations governing and the accessorial charges applying in connection therewith.</p> <p><b>TEMPERATURE CONTROL SERVICE</b> means the protection from heat by the use of ice (either water or solidified carbon dioxide), by mechanical refrigeration or by release of liquefied gases.</p>	610
<p>of Change ) Decision No. <b>76425</b>  * Addition )</p>	
<b>EFFECTIVE</b>	
Correction 153	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.