

ORIGINAL

Decision No. 77177

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 within San)
Diego County (including transporta-)
tion for which rates are provided in)
Minimum Rate Tariff 9-B).)

Case No. 5439
(Petition for Modification
No. 115)
(Filed April 1, 1970)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 77175, entered today in Case No. 5432, et al. the Commission found that various minimum rate tariffs should be amended to reflect the adoption of National Motor Freight Classification A-11 in lieu of National Motor Freight Classification A-10. The decision also provided that Minimum Rate Tariff No. 9-B should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective June 11, 1970, Eleventh Revised Page 7 and Fifth Revised Page 18 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. 67766, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

3. Tariff publications required to be made by common carriers as a result of the order herein shall be made effective June 11, 1970, on not less than five days' notice to the Commission and to the public and tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier than June 11, 1970, and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than August 10, 1970.

4. 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.

5. In all other respects Decision No. 67766, as amended, shall remain in full force and effect.

This order shall become effective thirty days after the date hereof.

Dated at San Francisco, California, this 5th day of May, 1970.

William J. ...
President

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...

Vernon L. Sturgeon
Commissioners

SECTION 1--RULES	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10 and 11)</p> <p>ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bullet proof glass, and which is manned by an armed crew.</p> <p>CARRIER means a radial highway common carrier, a highway contract carrier, a dump truck carrier or a cement contract carrier, as defined in the Highway Carriers' Act.</p> <p>CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semitrailer, dolly or any combination of such highway vehicles operated by the carrier.</p> <p>COMMISSION means the Public Utilities Commission of the State of California.</p> <p>COMMON CARRIER RATE means 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 for transportation by land; also 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 Section 203(b)(8) of Part II of the Interstate Commerce Act.</p> <p>DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.</p> <p>DISTANCE TABLE means Distance Table 7.</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>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>EXCEPTION RATINGS TARIFF means Exception Ratings Tariff 1 issued by the Commission.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-11.</p> <p>HOLIDAYS means New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, December 24 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>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 style="text-align: center;">(Continued in Item 11)</p>	<p>10</p>
<p>6 Change, Decision No. 77177</p>	
<p>EFFECTIVE</p>	
<p>Correction</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

SECTION 1--RULES (Continued)	ITEM										
<p style="text-align: center;">APPLICATION OF CLASS RATINGS AND MINIMUM WEIGHTS</p> <p>Except as otherwise provided in this tariff, shipments subject to truckload ratings in the Governing Classification or Sections 2-B or 2-C of the Exception Ratings Tariff lower than Class 50 will be subject to rates provided for Class 50.</p> <p>When truckload minimum weight as provided in the Governing Classification or Sections 2-B or 2-C of the Exception Ratings Tariff exceeds 40,000 pounds, the minimum weight shall be 40,000 pounds.</p> <p>Except as otherwise provided in this tariff, class rates contained in this tariff are subject to any quantity or less-truckload and truckload ratings as shown in:</p> <p>(a) The Governing Classification. (b) Sections 2-A, 2-B, 2-C and *2-D of the Exception Ratings Tariff.</p>	660										
<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>	70										
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>(a) Except as otherwise provided, this tariff is governed by:</p> <p>(1) The Governing Classification. (2) Sections 2-A, 2-B, 2-C and *2-D only of the Exception Ratings Tariff.</p> <p>(b) Rates in this tariff are subject to the provisions of the following items only of the Governing Classification:</p> <table style="margin-left: 40px;"> <tr> <td>110 (Sections 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)</td> <td style="text-align: right;">422 424</td> </tr> <tr> <td>310</td> <td style="text-align: right;">565</td> </tr> <tr> <td>360 (Sections 2(c), 2(d) and 3 only)</td> <td style="text-align: right;">595 640</td> </tr> <tr> <td>420</td> <td style="text-align: right;">845</td> </tr> <tr> <td>421</td> <td style="text-align: right;">997 (Table A)</td> </tr> </table> <p>(c) Where the ratings, rules and regulations or other provisions or conditions provided in the governing publications described in paragraph (a) are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p>	110 (Sections 4(b), 7, 9, 11, 12, 13, 14, 15 and 16 only)	422 424	310	565	360 (Sections 2(c), 2(d) and 3 only)	595 640	420	845	421	997 (Table A)	680
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