

Decision No. 77178

ORIGINAL

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
(Petition for Modification
No. 191)
(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. 1-B should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 1-B (Appendix B of Decision No. 65834, as amended) is hereby further amended by incorporating therein to become effective June 11, 1970, the original and revised tariff pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are 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. 65834, 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. 65834, as amended, shall remain in full force and effect.

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

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

William J. Lyons, Jr.
President
August
McKinnon
Robert J. [unclear]
Vernon L. Sturgeon
Commissioners

C. 5441 (Pat. 191) MXT 1-B - np

APPENDIX A TO DECISION NO. 77178

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(1) "Rules" and "Technical Terms" formerly shown on this page transferred to
Original Page 2-A.

6 Change, Decision No. 77178

EFFECTIVE

Correction

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

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(1) "Rules" and "Technical Terms" on this page transferred from Fifth
Revised Page 2.

6 Change, Decision No.

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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
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SECTION 1--RULES		ITEM
DEFINITION OF TECHNICAL TERMS (Items 10 and 11)		
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.		
CITY DELIVERY or CITY DELIVERIES means transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the territory covered by this tariff at other than a carrier's depot, dock, wharf, pier, or landing.		
COMMISSION means the Public Utilities Commission of the State of California.		
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; 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.		
DANGEROUS ARTICLES means articles described in the Dangerous Articles Tariff.		
A DANGEROUS ARTICLES TARIFF means Motor Carriers' Explosives and Dangerous Articles Tariff 14, Cal.P.U.C. 9, of American Trucking Associations, Inc., Agent, including revisions thereto or successive issues thereof.		
DESTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.		
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.		210
EXCEPTION RATINGS TARIFF means Exception Ratings Tariff 1 issued by the Commission.		
GOVERNING CLASSIFICATION means National Motor Freight Classification A-11.		
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.		
INHAUL means the transportation of property received from another carrier at a depot, wharf, pier, or landing originating beyond the limits of the territory covered by this tariff and delivered at one address to the consignee shown on the bill of lading of the carrier from which the shipment is received, or the transportation of property from public warehouses when delivered to one wholesaler consignee at one address.		
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.		
OUTHAUL means transportation of property in City Delivery and Shipping as defined herein.		
PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size required 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.		
POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent.		
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.		
(Continued in Item 11)		
Change) Change, neither increase) nor reduction)		Decision No. 77178
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SECTION 1--RULES (Continued)	ITEM (1)
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments, as defined in Item 11, from point of origin to point of destination and include tailgate loading into and tailgate unloading from the carrier's equipment. (See Item 110)</p>	90
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>6(a) Except as otherwise provided, class rates in this tariff are subject to the ratings shown in:</p> <p style="margin-left: 40px;">(1) The Governing Classification. (2) Sections 2-A, 2-B, 2-C and *2-D only of the Exception Ratings Tariff.</p> <p>6(b) Except as otherwise provided, rates in this tariff are subject to the provisions of the following items only of the Governing Classification:</p> <div style="margin-left: 100px; display: flex; justify-content: space-around;"> <div>381 420</div> <div>845 997 (Table A)</div> </div> <p>6(c) Where the ratings are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p> <p>6(d) Commodity rates named in this tariff are governed by the Governing Classification to the extent that commodity rate items make specific reference thereto.</p>	6100
<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>(a) For pickup or delivery or for stacking, sorting or other accessorial service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided, an additional charge of \$8.25 per man per hour, minimum charge \$2.05 shall be made.</p> <p>(b) When carrier is required to provide additional labor, at point of origin or point of destination, for the handling of articles or packages which, because of their weight or bulk, cannot be handled by one man, an additional charge of \$8.15 per man per hour, minimum charge \$8.15 shall be made.</p> <p>(c) On shipments of glass as described under the heading "Glass" in the Governing Classification in packages named therein exceeding 120 united inches, add 6½ cents per 100 pounds to applicable class rates. (See Note)</p> <p>NOTE.--Will not apply where crane facilities are available without cost to carrier or loading and/or unloading is performed by shipper and/or consignee, at both pickup and delivery points.</p>	110
<p>(1) Items 90, 100 and 110 transferred from Seventeenth Revised Page 19.</p> <div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> 6 Change * Addition </div> <div style="font-size: 2em; margin-right: 10px;">}</div> <div> Decision No. 77178 </div> </div>	
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<div style="display: flex; justify-content: space-between;"> <div>Correction</div> <div>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</div> </div>	

SECTION 1--RULES (Continued)	ITEM (1)
<p style="text-align: center;">ADVANCE CHARGES</p> <p>All charges on shipments advanced by a carrier for the account of a shipper or consignee will be payable on demand of the carrier making the advance.</p>	120
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff when such common carrier rates produce a lower aggregate charge for the same transportation between the same points of origin and destination and for the same accessorial services than results from the application of the rates herein provided. (See Exception)</p> <p>When the common carrier rate used does not include accessorial services performed by the carrier, the following charges for such accessorial services shall be added: (See Note)</p> <p>(a) For loading onto carrier's equipment, the charges provided in paragraph (d). (b) For unloading from carrier's equipment, the charges provided in paragraph (d). (c) For other accessorial services for which charges are provided in this tariff, the additional charge or charges so provided. (d) 5 cents per 100 pounds.</p> <p>NOTE.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p> <p>EXCEPTION.--The provisions of this item do not apply on services performed under the provisions of Item 900.</p>	130
<p style="text-align: center;">CHARGES FOR SERVICE AT OTHER THAN REGULAR WORKING HOURS</p> <p>Rates named in Sections 2, 3, 4 and 5 apply for service performed during regular working hours of 8:00 a.m. to 5:00 p.m. except Saturdays, Sundays and holidays as defined in Item 10.</p> <p>For services performed at the request of the shipper or consignee at other than those hours specified above and on Saturdays, Sundays or holidays, an additional charge equal to the cost of overtime will be made.</p>	140
<p>(1) Items 90, 100 and 110 transferred to Original Page 18-A, Decision No. 77178</p>	
EFFECTIVE	
<p>Correction</p> <p style="text-align: right;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

SECTION 1--RULES (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF		
ARTICLE	CLASS	
<p>(1)GROCERIES AND GROCERS' SUPPLIES, in packages, less truckload, viz.: (Item references are to the Governing Classification) Acid, Boric (Boracic) as described in Item 4020. Baking or Yeast Powder, as described in Item 72040. Beans, as described in Items 72080, 72100, 72120, 77060 or 77080, Beverages, Beverage Preparations (nonalcoholic), as described in Items 72140, 72160 or 72180, in boxes, barrels or crates, or in boxes or crates without covers, Bird Food or Seed, as described in Item 23600, or Bird Gravel, as described in Item 23620. Bleaching Compounds, as described in Items 24080 or 44970. Bluing, Laundry, as described in Items 24330 or 24350, Borax (Sodium Borate), as described in Item 43520, Candles, as described in Items 39810 or 39830, Candy or Confectionery, NOI, or Chocolate Candy or Confectionery, including Milk Chocolate Candy or Confectionery, as described in Item 39970, Cereals, other than flaked, puffed or shredded, as described in Items 42310 or 42390, Chocolate, as described in Item 39990, Chocolate Coating, as described in Item 40000, Cleaning, Scouring or Washing Compounds, NOI, Soap Powder or Soap, as described in Items 48580 and 48581, Cocoa, as described in Item 72520, Cocoanut, as described in Item 72580, Coffee, as described in Items 72600, 72620 or 72680, Coffee Substitutes, as described in Item 72700, Colorings, Confectioners', as described in Item 50026, Dessert Preparations, as described in Item 72760. Eggs, Shelled (egg albumen, whites or yolks, or whites and yolks together), fro- zen, as described in Item 55580, in metal cans, loose, tops securely fastened, Extracts, as described in Items 72860, 72880, 72910, 73810 or 73820, Feed, Animal or Poultry, as described under the heading "Feed Group" in the Governing Classification, Fish, other than fresh, as described in Items 72930, 72950 or 72970. Flour, as described in Items 73030, 73040, 73060, 73080, 73100, 73120 or 73140. Fondant, Candy (candy filler) as described in Item 39940, Food Curing, Preserving or Seasoning Compounds, NOI, as described in Item 73220. Fruit, candied, crystallized, glazed or stuffed, NOI, as described in Item 73340, Fruit, dried, as described in Items 77020, 77040, 77120, 77140, 77240, 77300 or 77360, Fruit Juices, as described in Items 72440, 73540, 73550, 73570, 73590, 73600, 73620, 73630, 73650 or 73670, Gelatine, as described in Item 73380, Grain, as described under the heading "Grain Group" in the Governing Classifica- tion, Gum, chewing, as described in Item 40040, Honey, strained, as described in Item 73460. Hops, as described in Item 99990, Insecticides, Fungicides, Insect Repellents or Vermin Exterminators, Agricul- tural, also other than agricultural having a petroleum base, as described under the heading "Insecticides Group" in the Governing Classification,</p> <p>(Continued in Item 500.5)</p>	55	\$500
of Change. Decision No. 77178		
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