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ORIGINAL

Decision No. 77498

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, and highway carriers, relating to the transportation of fresh or green fruit and vegetables and related items (commodities for which rates are provided in Minimum Rate Tariff No. 8).

Case No. 5438
Order Setting Hearing No. 75
(Filed November 12, 1969)

OPINION AND ORDER

Decision No. 77493, entered today in Case No. 5432 (Order Setting Hearing No. 564) et al., established revised tariff provisions governing split pickup and split delivery shipments, including the alternative use of common carrier rates, in Minimum Rate Tariff No. 2 and found that comparable amendments should also be made in the like provisions of Minimum Rate Tariff No. 8. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 8 should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 8 (Appendix C of Decision No. 33977, as amended) is further amended by incorporating therein, to become effective August 22, 1970, the revised pages attached hereto and made a part hereof by this reference, said pages being specifically identified as:

Fourth Revised Page 19
Fourth Revised Page 20

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 33977, 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 No. 8 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff No. 8 rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff No. 8 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 8 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 8 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 No. 8 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 8 rates herein.

6. 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 tenth day after the effective date of this order on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than August 22, 1970; and the 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 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.

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 Decision No. 33977, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 14th
day of JULY, 1970.

Chairman

William S. Vukasin, Jr.

John A. ...

Vernon L. Sturgeon
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates, except rates of coastwise common carriers by vessel, for the same transportation:</p> <p>§(a) When point of origin is located beyond railhead or an established depot and point of destination is located at railhead or an established depot, add to the common carrier rate applying from any (1) team track, (2) established depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, to point of destination, the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from point of origin to any such team track, depot or private railhead from which the common carrier rate applies. (See Notes 1 and 2)</p> <p>§(b) When point of origin is located at railhead or an established depot and point of destination is located beyond railhead or an established depot, add to the common carrier rate applying from point of origin to any (1) team track, (2) established depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from any such team track, depot or private railhead to which the common carrier rate used applies to point of destination. (See Notes 1 and 2)</p> <p>§(c) When both point of origin and point of destination are located beyond railhead or an established depot, add to the common carrier rate applying between any railheads or established depots the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from point of origin to any (1) team track, (2) depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, from which the common carrier rate used applies, plus the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from any (1) team track, (2) depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, to which the common carrier rate used applies to point of destination. (See Notes 1 and 2)</p> <p>NOTE 1.--If the route from point of origin to the railhead, or from the railhead to point of destination, is within the corporate limits of a single incorporated city, the rates provided in this tariff for transportation for distances of 3 miles or less, or the minimum rates established by the Commission for transportation within that city, whichever are lower, shall apply from point of origin to the railhead or from the railhead to point of destination as the case may be.</p> <p>NOTE 2.--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>6220</p>
<p>§ Change, Decision No. 77498</p>	
<p>EFFECTIVE</p>	
<p>Correction 544</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;">ALTERNATIVE APPLICATION OF SPLIT PICKUP UNDER RATES CONSTRUCTED BY USE OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>Charges on split pickup shipments may be computed by use of combinations with common carrier rates as follows, if a lower aggregate charge than that accruing under the basis provided in Item 170 results:</p> <p>(1) Compute the charge applicable under the rates named in this tariff for the composite weight of a split pickup shipment from the point or points of origin of the several component parts (See Item 170) to any (a) team track, (b) established depot or (c) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service. (See Note)</p> <p>(2) Add to such charge the charge applicable under Items 210 and 220 for the weight of the composite shipment from any such team track, established depot or private railhead to point of destination.</p> <p>NOTE.--If the points of origin of all component parts are within the limits of an incorporated city within which the railhead is located, and no rate for transportation to the railhead from such points of origin is named in this tariff, the rates named in this tariff for transportation for distances of 3 miles or less shall apply to the composite weight of the shipment, or rates established by the Commission for transportation within that city, whichever are lower, shall apply to such railhead from such points of origin.</p>	§230
<p style="text-align: center;">ALTERNATIVE APPLICATION OF SPLIT DELIVERY UNDER RATES CONSTRUCTED BY USE OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>Charges on split delivery shipments may be computed by use of combinations with common carrier rates as follows, if a lower aggregate charge than that accruing under the basis provided in Item 180 results:</p> <p>(1) Compute the charge applicable under Items 210 and 220 for the composite weight of a split delivery shipment from point of origin to any (a) team track, (b) established depot or (c) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service.</p> <p>(2) Add to such charge the charges applicable under the rates named in this tariff for the composite weight of a split delivery shipment (see Item 180) from any such team track, established depot or private railhead to the point or points of destination of the several component parts. (See Note)</p> <p>NOTE.--If the points of destination of all component parts are within the limits of an incorporated city within which the railhead is located, and no rate for transportation from the railhead to such points of destination is named in this tariff, the rates named in this tariff for transportation for distances of 3 miles or less shall apply to the composite weight of the shipment, or rates established by the Commission for transportation within that city, whichever are lower, shall apply from such railhead to such points of destination.</p>	§240
<p>§ Change, Decision No. 77498</p>	
EFFECTIVE	
Correction 545	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.