

Decision No. 77501

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 motor vehicles and related items (commodities for which rates are provided in Minimum Rate Tariff No. 12).

Case No. 5604
Order Setting Hearing No. 21
(Filed November 12, 1959)

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. 12. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 12 should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 12 (Appendix A of Decision No. 50218, 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:

Second Revised Page 12
Original Page 12-A
Fourth Revised Page 13

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision No. 50218, 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. 12 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff No. 12 rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff No. 12 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 12 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 12 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. 12 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 12 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. 50218, 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 J. Vukasin, Jr.

Tom J. ...

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 (Continued)	ITEM
<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 when 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>	165
<p style="text-align: center;">APPLICATION OF COMBINATIONS OF RATES PROVIDED IN THIS TARIFF</p> <p>In the event two or more rates are named in this tariff for the same transportation, the lower rate shall apply. In the event any combination of rates provided in this tariff produces a lower aggregate charge for the same transportation than is produced by a one-factor through rate, such combination of rates shall be applied.</p>	170
<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 and for the same accessorial services than results from the application of the rates herein provided. (See Note)</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>	180
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES (Items 190 and 191)</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates for the same transportation as follows:</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 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 Note)</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 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 Note)</p> <p style="text-align: center;">(Continued in Item 191)</p>	190
<p>Change, Decision No. 77501</p>	
<p>EFFECTIVE</p>	
<p>Correction 59</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;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES (Concluded) (Items 190 and 191)</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 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 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 Note)</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>*191</p>
<p>(1) Provisions on this page transferred from First Revised Page 12.</p> <p> § Change) Decision No. 77501 * Addition) </p>	
<p>EFFECTIVE</p>	
<p>Correction 60</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;">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 130 results:</p> <p>(1) Compute the charges applicable under the rates provided in this tariff for the composite weight of a split pickup shipment from the point of origin, or points of origin, of the several component parts (See Item 130) 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 charge applicable under Item 190 for the composite shipment from such team track, established depot or private railhead to point of destination.</p>	<p>200</p>
<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 140 results:</p> <p>(1) Compute the charge applicable under Item 190 for the composite 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 provided in this tariff, for the composite weight of a split delivery shipment (See Item 140) from such team track, established depot or private railhead to the point of destination or points of destination of the several component parts.</p>	<p>210</p>
<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>In the event under the provisions of Items 180 to 210, inclusive, a common carrier rate is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by the highway carrier, the following charges for such accessorial services shall be added:</p> <p>(a) For loading onto carrier's equipment, \$3.55 per vehicle (plus charge provided in Item 150, where applicable).</p> <p>(b) For unloading from carrier's equipment, \$3.55 per vehicle (plus charge provided in Item 150, where applicable).</p> <p>(c) For other accessorial services for which charges are provided in this tariff, the additional charge or charges so provided.</p>	<p>220</p>
<p>Change, Decision No. 77501</p>	
<p>EFFECTIVE</p>	
<p>Correction 61</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>