

ds/ms

Decision No. 77503

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation of the rates, rules, regulations, charges, allowances and practices of all common carriers, and highway carriers relating to the transportation of trailer coaches and related items as provided in Minimum Rate Tariff 18.

Case No. 8808  
Order Setting Hearing No. 6  
(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 18. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff 18 should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 18 (Appendix B of Decision No. 72418, 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:

First Revised Page 23  
Original Page 23-A

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision No. 72418, as amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further amendments 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 18 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 18 rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 18 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 18 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 18 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 18 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 18 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. 72418, 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 14<sup>th</sup> day of JULY, 1970.

\_\_\_\_\_  
Chairman

*William J. ...*  
\_\_\_\_\_  
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;"><b>ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</b></p> <p>Common carrier rates, except rates of coastwise common carriers by vessel, 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 than results from the application of the rates herein provided. (See Notes 1, 2 and 3)</p> <p>NOTE 1.--When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</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>NOTE 3.--For the purpose of applying the provisions of this item, the definitions of Point of Destination and Point of Origin set forth in Item 11 will be applicable.</p>	290
<p style="text-align: center;"><b>ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES (Items 300 and 301)</b></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 and point of destination is located at railhead, add to the common carrier rate applying from any (1) team track or (2) 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 or private railhead from which the common carrier rate used applies.</p> <p>(b) When point of origin is located at railhead and point of destination is located beyond railhead, add to the common carrier rate applying from point of origin to any (1) team track or (2) 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 or private railhead to which the common carrier rate used applies to point of destination.</p> <p style="text-align: center;">(Continued in Item 301)</p>	4300
<p>Change, Decision No. <b>77503</b></p>	
<p><b>EFFECTIVE</b></p>	
<p>Correction 17</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 300 and 301)</p> <p>(c) When both point of origin and point of destination are located beyond railhead, add to the common carrier rate applying between any railheads the rate provided in this tariff, applicable to the entire shipment, for the distance from point of origin to any (1) team track or (2) 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 or (2) 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.</p>	<p>6* 301</p>
<p>(1) Provisions on this page transferred from Original Page 23.</p> <p> <span style="display: inline-block; vertical-align: middle;">                     † Change                      * Addition                 </span> <span style="font-size: 2em; vertical-align: middle; margin: 0 5px;">}</span>                 Decision No. <span style="font-size: 1.5em; font-weight: bold;">77503</span> </p>	
<p>EFFECTIVE</p>	

Correction 18

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