

Decision No. 78253

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 car- }
riers and city carriers relating to }
the transportation of property in }
Los Angeles and Orange Counties }
(transportation for which rates are }
provided in Minimum Rate Tariff }
No. 5).

Case No. 5435
Petition for Modification No. 166
(Filed November 18, 1970)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 78252, entered today in Case No. 5432 (Petition for Modification No. 611) et al., established revised "holiday" provisions in Minimum Rate Tariff 2 in order to reflect current statutory and labor contract provisions concerning "holidays". Said decision also found that comparable amendments should be made in Minimum Rate Tariff 5. The decision further stated that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff 5 should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 5 (Appendix A of Decision No. 32504, as amended) is further amended by incorporating therein, to become effective February 12, 1971, Twenty-Eighth Revised Page 7 and Twenty-Fifth Revised Page 40, 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. 32504, 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 5 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 5 rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 5 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 5 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 5 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 5 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 5 rates herein.

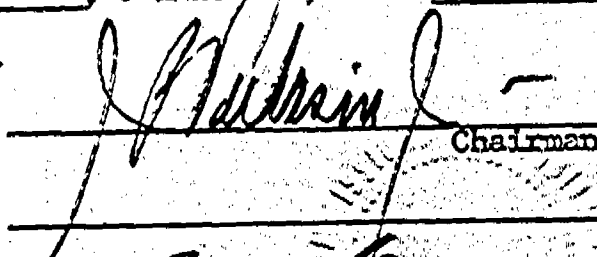
6. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the second day after the effective date of this order on not less than two days' notice to the Commission and to the public and such tariff publications shall be made effective not later than February 12, 1971; 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 second day after the effective date of this order, and may be made effective on not less than two 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.

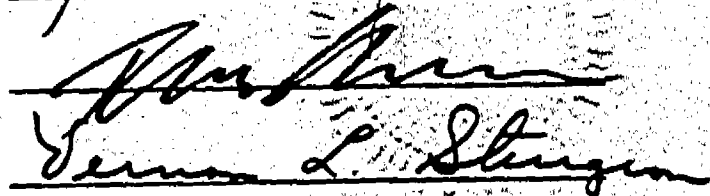
7. Common carriers, in establishing and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such 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. 32504, as amended, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 2nd
day of FEBRUARY, 1971.


Chairman


Commissioners

Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES OF GENERAL APPLICATION	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 bulletproof 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, or any combination of such highway vehicles operated by the carrier.</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; 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>DANGEROUS ARTICLES means articles described in the Dangerous Articles Tariff.</p> <p>DANGEROUS ARTICLES TARIFF means Motor Carriers' Explosives and Dangerous Articles Tariff 14, Cal.P.U.C. 9, of American Trucking Associations, Inc., Agent.</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>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 (January 1), Washington's Birthday (the third Monday in February), Memorial Day (the last Monday in May), Fourth of July, Labor Day (the first Monday in September), Thanksgiving Day, the Day after Thanksgiving, December 24 and Christmas Day (December 25). When a holiday falls 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>PALLETIZED SHIPMENT means a shipment tendered to and transported by the carrier on pallets (elevating-truck pallets or platforms or lift-truck skids, with or without standing sides or ends, but without tops).</p> <p>PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires a 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>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee. All sites within a single business place of one consignee shall be considered as one point of destination. A business place of one consignee shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p style="text-align: center;">(Continued in Item 11)</p>	<p>610</p>
<p>of Change, Decision No. 78253</p>	
<p>EFFECTIVE</p>	
<p>Correction</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p>

SECTION 5--UNIT RATES AND RULES (Continued)

ITEM

FREIGHT, regardless of classification, transported between or within the Metropolitan Los Angeles Zone consisting of Los Angeles and Orange Counties, subject to Notes 1, 2 and 3:

<u>Weight in Pounds</u>	<u>Rates in Cents Per Hour(1)</u>
250 or less -----	1150
Over 250 but not over 2,500 -----	1330
Over 2,500 but not over 5,000 -----	1355
Over 5,000 but not over 8,000 -----	1390
Over 8,000 but not over 12,000 -----	1405
Over 12,000 but not over 20,000 -----	1525
Over 20,000 but not over 30,000 -----	1600
Over 30,000 -----	1755

(1) Subject to a minimum charge of one hour.

NOTE 1.--Weight in pounds is the greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction. No allowance shall be made for weight of containers.

NOTE 2.--

(a) The total of the loading, unloading and driving time computed from the arrival of carrier's equipment at point of origin, or first point of origin when more than one point of origin is involved, to the time unloading is completed at point of destination, or last point of destination when more than one point of destination is involved, subject to paragraph (b) hereof, shall be used to compute charges.

(b) In computing time under the basis outlined in paragraph (a) hereof the various time factors shall be not less than the actual time involved in minutes. After the total time has been determined under the provisions of paragraph (a) hereof, it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:

Less than 8 minutes ----- omit.
 8 minutes or more but less than 23 minutes shall be $\frac{1}{4}$ hour.
 23 minutes or more but less than 38 minutes shall be $\frac{1}{2}$ hour.
 38 minutes or more but less than 53 minutes shall be $\frac{3}{4}$ hour.
 53 minutes or more shall be 1 hour.

NOTE 3.--Between the hours of 6:00 P.M. and 7:00 A.M., and on Saturdays, Sundays and the holidays of Washington's Birthday, Memorial Day, *the day after Thanksgiving and December 24th, as defined in Item 10, an additional charge at the rate of \$4.00 per hour (or fraction thereof) shall be assessed. On all other holidays, as defined in Item 10, an additional charge of \$8.00 per hour (or fraction thereof) shall be assessed.

6420

Change)
 * Addition) Decision No. **78253**

EFFECTIVE

Correction

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