

Decision No. 78255

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 }  
within San Diego County (including }  
transportation for which rates are }  
provided in Minimum Rate Tariff }  
No. 9-B).

Case No. 5439  
Petition for Modification No. 132  
(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 9-B. The decision further stated that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff 9-B should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective February 12, 1971, Fourteenth Revised Page 7 and Ninth Revised Page 49 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. 67766, 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 9-B are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 9-B rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 9-B rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 9-B are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 9-B 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 9-B are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 9-B 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. 67766, 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.

[Signature]  
Chairman  
[Signature]  
Vernon L. Stinger  
Commissioners

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

MINIMUM RATE TARIFF 9-B

SECTION 1--RULES	ITEM
<p data-bbox="574 384 977 435">DEFINITION OF TECHNICAL TERMS (Items 10 and 11)</p> <p data-bbox="189 456 1341 532">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.</p> <p data-bbox="189 552 1356 629">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 data-bbox="189 649 1306 726">CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semitrailer, dolly or any combination of such highway vehicles operated by the carrier.</p> <p data-bbox="277 746 1328 772">COMMISSION means the Public Utilities Commission of the State of California.</p> <p data-bbox="194 792 1372 983">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 for transportation by land; 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 data-bbox="279 1003 1344 1029">DANGEROUS ARTICLES means articles described in the Dangerous Articles Tariff.</p> <p data-bbox="194 1049 1306 1126">DANGEROUS ARTICLES TARIFF means Motor Carriers' Explosives and Dangerous Articles Tariff 14, Cal.P.U.C. 9, of American Trucking Associations, Inc., Agent and supplements thereto or reissues thereof.</p> <p data-bbox="194 1146 1333 1197">DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.</p> <p data-bbox="282 1217 806 1243">DISTANCE TABLE means Distance Table 7.</p> <p data-bbox="199 1263 1389 1314">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 data-bbox="199 1335 1339 1386">ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p data-bbox="203 1406 1273 1457">EXCEPTION RATINGS TARIFF means Exception Ratings Tariff 1 issued by the Commission.</p> <p data-bbox="285 1477 1310 1503">GOVERNING CLASSIFICATION means National Motor Freight Classification A-11.</p> <p data-bbox="203 1523 1339 1651">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 data-bbox="203 1671 1314 1773">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 data-bbox="203 1793 1339 1895">PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires 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 data-bbox="622 1905 923 1931">(Continued in Item 11)</p>	<p data-bbox="1445 1123 1493 1149">010</p>
Change, Decision No. 78255	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA	
Correction	

MINIMUM RATE TARIFF 9-B

SECTION 3--EQUIPMENT RATES AND RULES (Concluded)				ITEM
FREIGHT, regardless of classification, subject to Note 1:				
Weight in Pounds (See Note 2)	(1)(2) Rates in Cents Per Hour			
	Column 1	Column 2	Column 3	
Less than 12,000-----	930	1315	1700	
12,000 but not over 20,000-----	980	1335	1715	
Over 20,000-----	1080	1405	1730	
(1) Minimum Charge--The charge for one hour.				
(2) Rates do not include bridge or ferry tolls. Such tolls, when incurred by the carrier, shall be added to the transportation charges.				
Column 1--Rates per unit of equipment with driver, except for time equipment is operated in excess of 8 hours out of 9 consecutive hours, and except when operated on Saturdays, Sundays or holidays.				
Column 2--Rates per unit of equipment with driver for time equipment is operated in excess of 8 hours out of 9 consecutive hours or on Saturdays, Sundays or the following holidays: Washington's Birthday, Memorial Day,*the day after Thanksgiving or the day before Christmas.				
Column 3--Rates per unit of equipment with driver for time equipment is operated on the following holidays: Independence Day, Labor Day, Thanksgiving Day, Christmas or New Year's Day.				
NOTE 1--				
(a) Subject to paragraph (b) below, rates in this item apply from the time the truck and driver report for service pursuant to the shipper's order to the time of completion of the last trip under such order. EXCEPTION: If the single transaction covers a period in excess of one day, time consumed in driving from last point of destination to the carrier's terminal at the close of one day's business, and from the carrier's terminal to the point of origin at the beginning of the next day's business will not be included in computing the chargeable time.				
(b) In computing time for trailer shuttle service no time shall be charged for the movement of truck tractors without load or for trailers or semitrailers without power unit except when such trailers are being loaded or unloaded.				
(c) In computing time under the basis outlined in paragraphs (a) and (b) hereof the various time factors shall not be 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 1/4 hour.				
23 minutes or more but less than 38 minutes shall be 1/2 hour.				
38 minutes or more but less than 53 minutes shall be 3/4 hour.				
53 minutes or more shall be 1 hour.				
NOTE 2.--The normal carrying capacity of each vehicle unit shall be determined by the carrier based upon that amount of property in pounds, which physically can be loaded therein and safely transported under normal conditions.				
6 Change } Decision No. 78255				
* Addition }				
EFFECTIVE				
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA				
Correction				