

ORIGINAL

Decision No. S0121

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 household goods carriers, common  
carriers, highway carriers and city  
carriers relating to the transporta-  
tion of used household goods and  
related property (commodities for  
which rates are provided in Minimum  
Rate Tariff No. 4-B).

And Related Matter.

Case No. 5330  
Petition for Modification  
No. 54  
(Filed January 5, 1971)

Case No. 5603  
Petition for Modification  
No. 94  
(Filed January 5, 1971)

OPINION AND ORDER

Decision No. 79937, dated April 11, 1972, in Case No. 5432, Petition for Modification No. 621, et al., established revised provisions governing alternative application of common carrier rates in Minimum Rate Tariff 2, and found that corresponding amendments should be made in comparable provisions of Minimum Rate Tariffs 4-B and 11-A. That decision also provided that said tariffs should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 4-B (Appendix C to Decision No. 65521, as amended) is further amended by incorporating therein, to become effective July 1, 1972, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are made a part hereof.

2. Minimum Rate Tariff 11-A (Appendix A to Decision No. 50114, as amended) is further amended by incorporating therein, to become effective July 1, 1972, the revised pages attached hereto and listed in Appendix B, also attached hereto, which pages and appendix are made a part hereof.

3. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decisions Nos. 50114 or 65521, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein. ✓

4. 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 fifth day after the effective date of this order on not less than five days' notice to the Commission and to the public and shall be made effective not later than July 1, 1972.

5. Common carriers, in establishing and maintaining the amendments 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 amendments published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

6. In all other respects Decisions Nos. 50114 and 65521, 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 24th  
day of MAY, 1972.

William L. Sturgeon  
Chairman

Thomas L. Sturgeon

Commissioners

Commissioner Thomas Moran, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

C. 5330 (Pet. 54) et al.

APPENDIX A

REVISED PAGE TO MINIMUM RATE TARIFF 4-B

FIFTH REVISED PAGE 4

(END OF APPENDIX A)



C. 5330 (Pet. 54) et al.

APPENDIX B

LIST OF REVISED PAGES TO MINIMUM RATE TARIFF 11-A

THIRTEENTH REVISED PAGE 4

FIRST REVISED PAGE 11

(END OF APPENDIX B LIST)

SECTION 1--RULES	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>COMMISSION means the Public Utilities Commission of the State of California.</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.</p> <p>DISTANCE TABLE means Distance Table 7.</p> <p>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-12.</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>MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.</p> <p>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant or receiving area of one consignee shall be considered as one point of destination. An industrial plant or receiving area of one consignee shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single industrial plant or shipping area of one consignor shall be considered as one point of origin. An industrial plant or shipping area of one consignor shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>SAME TRANSPORTATION means transportation of the same kind and quantity of property between the same points, and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>SHIPMENT means a quantity of property tendered for transportation to one carrier, and delivered into the custody of the carrier at one time on one shipping document by one shipper at one point of origin for one consignee at one point of destination.</p> <p>UNCRATED NEW FURNITURE means new "Furniture" as described under the heading "Furniture Group" in the Governing Classification, and lamp shades or reflectors and lamp standards or electric lamps and shades combined when the furniture or other articles are tendered to the carrier loose (not in packages nor completely wrapped).</p> <p>UNIT OF EQUIPMENT means a single motor vehicle or more than one motor vehicle connected as a single highway train.</p>	<p style="text-align: center;">\$10</p>
<p>Change ) Increase ) Decision No. 80121</p>	
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p> <p>Correction</p>	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;"><b>COLLECTION OF CHARGES</b></p> <p>(a) Except as otherwise provided in this rule, transportation and accessorial charges shall be collected by the carriers prior to relinquishing physical possession of shipments entrusted to them for transportation.</p> <p>(b) Upon taking precautions deemed by them to be sufficient to assure payment of charges within the credit period herein specified, carriers may relinquish possession of freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called debtors, for a period not to exceed 7 days, excluding Sundays and legal holidays other than Saturday half-holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the shipper on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill. * ♦ (See Exception)</p> <p>(c) Where the carrier has relinquished possession of freight and collected the amount of charges represented in a freight bill presented by it as the total amount of such charges, and another freight bill for additional charges is thereafter presented to the debtor, the carrier may extend credit in the amount of such additional charges for a period of 30 calendar days to be computed from the first 12 o'clock midnight following the presentation of the subsequently presented freight bill. * ♦ (See Exception)</p> <p>(d) Freight bills for all transportation and accessorial charges shall be presented to the debtors within 7 calendar days from the first 12 o'clock midnight following delivery of the freight. * ♦ (See Exception)</p> <p>(e) Debtors may elect to have their freight bills presented by means of the United States mail, and when the mail service is so used the time of mailing by the carrier, as evidenced by the postmark, shall be deemed to be the time of presentation of the freight bills. * ♦ (See Exception)</p> <p>(f) The mailing by the debtor of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit period allowed such debtor may be deemed to be the collection of the charges within the credit period for the purpose of these rules. In case of dispute as to the time of mailing, the postmark shall be accepted as showing such time.</p> <p>* ♦ (g) When alternative rail carload rates are applied under the provisions of Item 130 of this tariff, carriers may relinquish possession of freight in advance of payment thereon and extend credit in the amount of said charges to those responsible for payment for period of five days (120 hours) beginning at twelve midnight of the day delivery is accomplished.</p> <p>* EXCEPTION.--Not applicable in connection with alternatively applied rail carload rates assessed under the provisions of Item 130 of this tariff.</p>	#220
<div style="display: flex; align-items: center;"> <div style="margin-right: 20px;">           * Change )            * Addition )            * Increase )         </div> <div>           Decision No. <b>80121</b> </div> </div>	
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