

Decision No. 80944

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 relat-)
ing to the transportation of prop-)
erty in the City and County of)
San Francisco, and the Counties of)
Alameda, Contra Costa, Lake, Marin,)
Mendocino, Monterey, Napa, San)
Benito, San Mateo, Santa Clara,)
Santa Cruz, Solano and Sonoma.)

Case No. 5441
(Petitions for Modification
Nos. 258 and 261)
(Filed November 22, 1972;
Amended December 7, 1972 and
Filed December 20, 1972,
respectively)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 80940 entered today in Case No. 5432, et al., the Commission found that various minimum rate tariffs should be amended to reflect the adoption of National Motor Freight Classification A-13 in lieu of National Motor Freight Classification A-12. The decision also provided that Minimum Rate Tariff 19 should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff 19 (Appendix A of Decision No. 41363, as amended) is further amended by incorporating therein to become effective January 19, 1973, Twenty-Second Revised Page 12, Fortieth Revised Page 16 and Original Page 16-A, 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. 41363, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

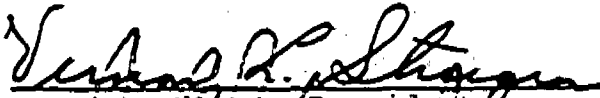
3. Tariff publications required to be made by common carriers as a result of the order herein shall be made effective January 19, 1973, on not less than one day's notice to the Commission and to the public and tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier than January 19, 1973, and may be made effective on not less than one day's notice to the Commission and to the public if filed not later than March 20, 1973.


4. 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.


5. In all other respects Decision No. 41363, as amended, shall remain in full force and effect.


This order shall become effective January 18, 1973.

Dated at San Francisco, California, this 9th day of January, 1973.



President






Commissioners

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10 and 20)</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'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>CITY DELIVERY or CITY DELIVERIES means the transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the City and County of San Francisco at other than a carrier's depot, dock, wharf, pier or landing.</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, including revisions thereto or successive issues thereof.</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 Cal.P.U.C.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-13.</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>INHAUL means transportation of property received from another carrier at a depot, dock, wharf, pier, landing or other point at which facilities are maintained for the loading of property into or upon, or the unloading of property from rail cars or vessels, or received from another carrier at truck loading facilities of plants or industries located at such rail or vessel loading or unloading point, when originating beyond the limits of the City and County of San Francisco; and also means transportation of property from public warehouses to wholesalers.</p> <p>OUTHAUL means transportation of property in City Delivery and Shipping as defined in Items 10 and 20.</p> <p>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>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee.</p> <p>POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor into the custody of the carrier for transportation.</p> <p style="text-align: center;">(Continued in Item 20)</p>	§10
§ Change, Decision No. 80944	
EFFECTIVE	
<div style="display: flex; justify-content: space-between;"> Correction ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA. </div>	

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM																																				
APPLICATION OF RATES																																						
Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination and include tailgate loading into and tailgate unloading from the carrier's equipment with services of the driver only.		60																																				
APPLICATION OF GOVERNING PUBLICATIONS																																						
<p>61. This tariff is governed to the extent shown herein by:</p> <p>(a) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof (See Notes 1 and 2):</p> <p>110, Sections 1, 3(a), 3(b), 3(c), 3(d), 4, 4(a), 4(b), 5, 6(a), 6(b), 6(c), 7, 7(a), 7(b), 7(c), 7(d), 8, 8(a), 8(b), 9, 10, 11(a), 11(b), 11(c), 12, 12(a), 12(b), 12(c), 12(d), 12(e), 12(f), 13(a), 13(b), 13(c), 14, 15, 15(a), 15(b), 15(c), 15(d), 15(e) and 16;</p> <p>200; 205; 210; 215; 220; 222; 225; 230; 235; 240; 245; 250; 255; 257; 260; 265; 270; 275; 280; 285; 291; 292; 294; 296; 297; 300; 310;</p> <p>360, Sections 1, 1(a), 1(b), 1(e), 1(f), 1(g), 1(h), 2, 2(a), 2(c), 2(d), 3 and 5;</p> <p>370; 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428;</p> <p>430, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11(a), 11(b), 13 and 14;</p> <p>455; 520; 535; 540; 565; 580; 595; 640; 645; 680; 685; 687; 689; 765; 770, Section 2; 780, Section 2; 810;</p> <p>845; 995; 997 (Section 2 only).</p> <p>*NOTE 1.--The provisions of Item 55740 of the Governing Classification are not applicable on California intrastate traffic.</p> <p>*NOTE 2.--Where dual provisions are set forth in the following items of the Governing Classification, only those provisions of said items preceded with any of the references (P1), (P4), (S1), (S2), (S4), (S5), (S6), (S7) or (S8) will apply on California intrastate traffic:</p> <table><tr><td>540</td><td>55229</td><td>55970</td></tr><tr><td>14060</td><td>55231</td><td>55990</td></tr><tr><td>39928</td><td>55233</td><td>56060</td></tr><tr><td>39960</td><td>55237</td><td>56080</td></tr><tr><td>40510</td><td>55920</td><td>56090</td></tr><tr><td>40512</td><td>55921</td><td>56100</td></tr><tr><td>55223</td><td>55922</td><td>56110</td></tr><tr><td>55224</td><td>55923</td><td>56230</td></tr><tr><td>55225</td><td>55924</td><td>159800</td></tr><tr><td>55226</td><td>55930</td><td>159830</td></tr><tr><td>55227</td><td>55950</td><td>159832</td></tr><tr><td></td><td></td><td>190210</td></tr></table> <p>The explanations of such references are not, however, applicable to California intrastate traffic.</p> <p>(b) The Exception Ratings Tariff, Sections 2-B, 2-C and 2-D only.</p> <p>(c) The Dangerous Articles Tariff (California Regulations).</p> <p>2. Where the ratings and rules or other provisions or conditions provided in the Governing Classification or Exception Ratings Tariff are in conflict with those provided in this tariff, the provisions of this tariff will apply. Except as otherwise specifically provided in this tariff, where the provisions of the Dangerous Articles Tariff are in conflict with the provisions set forth in this tariff or the otherwise governing publications referred to in paragraphs 1(a) or (b) hereof, the provisions of the Dangerous Articles Tariff will apply.</p>		540	55229	55970	14060	55231	55990	39928	55233	56060	39960	55237	56080	40510	55920	56090	40512	55921	56100	55223	55922	56110	55224	55923	56230	55225	55924	159800	55226	55930	159830	55227	55950	159832			190210	
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<p>(1) Item 80 formerly shown as Thirty-Ninth Revised Page 16 transferred to Original Page 16-A.</p> <p>6 Change) * Addition) Decision No. 80944</p>																																						
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<p data-bbox="654 334 882 358" style="text-align: center;">ACCESSORIAL CHARGES</p> <p data-bbox="208 401 1356 541">For other than tailgate loading or tailgate unloading, for help in addition to driver for loading or unloading furnished by the carrier at request of consignor or consignee, for distribution, segregation, tagging, reconditioning, stacking, sorting or any other accessorial or incidental service which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided, an additional charge shall be made as follows:</p> <p data-bbox="337 563 1306 703">(a) The time consumed by the driver in performing such services shall be charged for at the rate of \$11.85 per hour, minimum charge \$2.95.</p> <p data-bbox="337 635 1306 703">(b) The time consumed by the helper or helpers in performing such services shall be charged for at the rate of \$11.75 per helper per hour, minimum charge one hour for each helper used.</p>	80
<p data-bbox="265 919 1268 963">(2) Item 80 transferred from Thirty-Ninth Revised Page 16, Decision No. 80944</p>	
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<p data-bbox="208 2011 332 2033">Correction</p> <p data-bbox="849 1978 1476 2033" style="text-align: right;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p>	