

ORIGINAL

Decision No. 80975

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 sand, rock, gravel and related items)
(commodities for which rates are pro-)
vided in Minimum Rate Tariff No. 7).)

Case No. 5437

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 80973 issued today in Case No. 5432, et al., the Commission found that certain informational provisions in various minimum rate tariffs had served their purpose and should be canceled. These provisions pertain to the interstate transportation of property which is exempt from regulation of the Interstate Commerce Commission under Sections 203(b)(6) and 203(b)(8) of the Interstate Commerce Act. The decision also provided that Minimum Rate Tariffs 7 and 17-A should be amended by separate order to permit economical tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariffs 7 and 17-A (Appendices A and C of Decisions Nos. 32566 and 80578, respectively, as amended) are further amended by incorporating:

Twenty-fourth Revised Page 4 in Minimum Rate Tariff 7;
First Revised Page 1-5 in Minimum Rate Tariff 17-A; and
First Revised Page 1-6 in Minimum Rate Tariff 17-A

to become effective February 17, 1973. These revised pages are attached hereto and by this reference made a part hereof.

2. In all other respects, Decisions Nos. 32566 and 80578, as amended, shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 23rd day of January, 1973.

Vernon L. Sturgeon
President
J. P. [illegible]
[illegible]
[illegible]
Commissioners

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

| SECTION 1--RULES (Continued) | ITEM |
|---|------|
| <p align="center">APPLICATION OF TARIFF--CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act. They apply for transportation of property by radial highway common carriers, highway contract carriers and dump truck carriers, as defined in said Highway Carriers' Act, in bulk in dump truck equipment.</p> <p>The rates and rules contained in this tariff shall apply to transportation by underlying carriers (independent-contractor subhaulers) when such transportation is performed for other carriers, as provided in Item 94.</p> | 20 |
| <p align="center">APPLICATION OF TARIFF--GENERAL</p> <p>Rates in this tariff do not apply to the transportation of:</p> <p>(a) Property of the United States or property transported under an agreement whereby the United States contracted for the carrier's service.</p> <p>(b) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.</p> <p>(c) Property for which rates are provided in Minimum Rate Tariff 17-A when said property is transported under the provisions of such tariff. (See Exception)</p> <p align="center">**</p> <p>For rates for the transportation of commodities in dump truck equipment, other than as provided in this tariff, see Minimum Rate Tariffs 1-B, 2, 9-B, 17-A or 19, as the case may be.</p> <p>EXCEPTION.--Distance rates on decomposed granite in Item 131 of this tariff alternate with the zone rates in Section 16 of Minimum Rate Tariff 17-A from Production Areas 19-EE, 19-Q, 19-QA, 19-QB, 19-R and 19-Z.</p> | 25 |
| <p align="center">APPLICATION OF TARIFF--TERRITORIAL</p> <p>Rates in this tariff apply for transportation between all points within the State of California.</p> | 30 |
| <p align="center">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs.</p> | 35 |
| <p align="center">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be:</p> <p>(a) For all shipments other than those described in paragraph (b) of this item: the actual mileage traversed computed from the precise location at which loading of the unit of equipment commences to the point of destination via all other locations where either loading and/or weighing is performed.</p> <p>(b) For shipments of lightweight aggregates when moving within the Northern Territory under rates named in Items 138 and 138-1: the shortest resulting mileage, computed in accordance with the method provided in the Distance Table.</p> | 40 |
| <p> Change) Decision No. 80975 </p> <p> ** Eliminated) </p> | |
| 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 (CONTINUED) | ITEM |
|--|------|
| <p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodity:</p> <p>Decomposed Granite</p> | 70 |
| <p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of:</p> <p>SLAC, Blast Furnace and Open Hearth, air cooled (not expanded)</p> | 75 |
| <p align="center">APPLICATION OF TARIFF--GENERAL</p> <p>Rates in this tariff do not apply to the transportation of:</p> <p>(a) Property of the United States or property transported under an agreement whereby the United States contracted for the carrier's service.</p> <p>(b) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.</p> <p align="center">**</p> | 80 |
| <p align="center">APPLICATION OF TARIFF--RATES</p> <p>Except as otherwise provided, the rates in this tariff are zone rates and area-to-point rates. The rates apply from all points of origin within the designated production areas to all points of destination within the designated delivery zones, and to specifically named delivery points.</p> <p>If any portion of a shipment is physically delivered into or beyond more than one delivery zone, the minimum rate for the entire shipment shall be that rate from point of origin to the highest rated point where physical delivery is made. (See Exception)</p> <p>EXCEPTION.--When any portion of a shipment is delivered into more than one zone, and when no portion of such shipment is physically delivered beyond the boundaries of streets which are the boundaries between the zones involved, the minimum rate for the entire shipment shall be the lower or the lowest of the applicable rates between point of origin and the zones into which delivery is made.</p> | 100 |
| <p align="center">APPLICATION OF TARIFF--RATES--SAN DIEGO COUNTY ORIGINS</p> <p>When the transportation service is performed by 2-axle or 3-axle truck with transfer type pull trailer the rate shall be seven (7¢) cents per ton more than the rate provided for transportation which is performed at the rates in Section 8 in this tariff or at rates which are combined with Section 8 rates.</p> | 120 |
| <p> Change ** Eliminated) Decision No. 80975 </p> | |
| EFFECTIVE | |
| <p 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 align="center">APPLICATION OF TARIFF--TERRITORIES</p> <p>Rates in this tariff apply for transportation from all points within the production areas to all points within the delivery zones described in Southern California Production Area and Delivery Zone Directory 1, and to specifically named delivery points, as provided in Section 3 of this tariff. They apply also, to the extent specified elsewhere herein, for transportation from all points within said production areas to points outside of said delivery zones.</p> | 140 | | | | | | | | |
| <p align="center">APPLICATION OF OTHER MINIMUM RATE TARIFFS</p> <p>Except as otherwise provided, the rates in this tariff supersede, and apply to the exclusion of, rates applicable to the same transportation under other minimum rate tariffs of the Commission.</p> <p>For rates for the transportation of commodities in dump truck equipment, other than as provided in this tariff, see Minimum Rate Tariff 1-B, 7, 9-B or 19 as the case may be.</p> | 160 | | | | | | | | |
| <p align="center">ACCESSORIAL CHARGES</p> <p>In addition to the charges provided under Sections 8, 11, 12, 13, 14 and 15, accessorial charges shall be assessed as follows:</p> <p>Working Time: The applicable hourly rate provided in Section 2, Item 2020, Column C.</p> <p>Waiting Time: The applicable hourly rate provided in Section 2, Item 2020, Column D.</p> <p>There shall be a free time allowance as set forth in Note 1, to be first applied to Waiting Time and any excess to be applied to Working Time.</p> <p>In computing Working and Waiting Time under this rule, time shall commence when the carrier arrives at point of destination, and chargeable time shall be computed to the nearest six (6) minutes, minimum charge six (6) minutes.</p> <p>The provisions of this item apply to transportation of commodities in Item 65 and, when the point of origin is a San Diego County production area, to transportation of commodities in Item 60.</p> <p>NOTE 1.--The free time allowance for commodities listed under Column 1 shall be the time as set forth under Column 2.</p> <table border="0" data-bbox="355 1364 1189 1483"> <thead> <tr> <th align="center"><u>Column 1</u></th><th align="center"><u>Column 2</u></th></tr> </thead> <tbody> <tr> <td>Commodities in Item 60</td><td>(a) Fifteen (15) minutes</td></tr> <tr> <td>Commodities in Item 60</td><td>(b) Twenty (20) minutes</td></tr> <tr> <td>Commodities in Item 65</td><td>Thirty (30) minutes</td></tr> </tbody> </table> <p>(a) Applies when transportation is performed by equipment other than a truck with transfer trailer combination.</p> <p>(b) Applies only when transportation is performed by truck and transfer trailer combination equipment.</p> | <u>Column 1</u> | <u>Column 2</u> | Commodities in Item 60 | (a) Fifteen (15) minutes | Commodities in Item 60 | (b) Twenty (20) minutes | Commodities in Item 65 | Thirty (30) minutes | 180 |
| <u>Column 1</u> | <u>Column 2</u> | | | | | | | | |
| Commodities in Item 60 | (a) Fifteen (15) minutes | | | | | | | | |
| Commodities in Item 60 | (b) Twenty (20) minutes | | | | | | | | |
| Commodities in Item 65 | Thirty (30) minutes | | | | | | | | |
| <p>No change on this page, Decision No. 80975</p> | | | | | | | | | |
| EFFECTIVE | | | | | | | | | |
| <p>Correction</p> <p align="right">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> | | | | | | | | | |