

ORIGINAL

Decision No. 81115

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

And Related Matter

Case No. 5439  
(Petitions for Modification  
Nos. 176, 177 and 178)  
(Filed January 9 and 23 and  
February 2, 1973, respectively)

Case No. 5603  
(Petitions for Modification  
Nos. 119, 120 and 121)  
(Filed January 9 and 23 and  
February 2, 1973, respectively)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 81113, entered today in Application No. 53782, et al. and Case No. 5432 (Petition for Modification No. 733), et al., the Commission authorized National Motor Freight Traffic Association, Inc., Agent, to revise certain ratings and rules in National Motor Freight Classification A-13 and adopted such ratings and rules to govern various Commission minimum rate tariffs. The Commission concluded that Minimum Rate Tariffs 9-B and 11-A should be amended to conform with the aforementioned authority and that the necessary amendments in said tariffs should be made 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 March 17, 1973, Sixteenth Revised Page 18 attached hereto and by this reference 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 March 17, 1973, Fifteenth Revised Page 4 attached hereto and by this reference made a part hereof.

3. 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 shall be made effective March 17, 1973, on 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 March 17, 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 May 17, 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 Decisions Nos. 50114 and 67766, as amended, shall remain in full force and effect.

c. 5439 (Pet. 176) et al. - hk

The effective date of this order shall be March 16,  
1973.

Dated at Los Angeles, California, this 6<sup>th</sup>  
day of March, 1973.

Vernon L. Stinson  
President

William J. Sykes, Jr.

[Signature]  
Commissioners

Commissioner J. P. Vukasin, Jr., being  
necessarily absent, did not participate  
in the disposition of this proceeding.

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

SECTION 1--RULES (Continued)		ITEM																																				
APPLICATION OF CLASS RATES THAT ARE PERCENTAGES, MULTIPLES OR PROPORTIONS OF SPECIFIC CLASS RATINGS																																						
Class ratings which are based on percentages, multiples or proportions of Class 100 or other specified class ratings are not restricted in their application solely to the minimum class rates in the any quantity weight brackets but will apply in connection with the minimum weight brackets set forth in this tariff applicable to the shipment transported.		70																																				
APPLICATION OF GOVERNING PUBLICATIONS																																						
(a) This tariff is governed to the extent shown herein by:																																						
(1) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof (See Notes 1 and 2): 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; 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; 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; **, 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428; 430, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11(a), 11(b), 13 and 14; 455; 520; 535; 540; 565; 580; 595; 640; 645; 680; 685; 687; 689; 765; 770. Section 2; 780, Section 2; 810; 845; 995; 997 (Section 2 only).		680																																				
NOTE 1.--The provisions of Items 55740 and 300100 through 300160 of the Governing Classification are not applicable on California intrastate traffic. 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), (**), (S6), (S7) or (S8) will apply on California intrastate traffic:																																						
<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>**</td><td>55920</td><td>56090</td></tr> <tr> <td>**</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>		540	55229	55970	14060	55231	55990	39928	55233	56060	39960	55237	56080	**	55920	56090	**	55921	56100	55223	55922	56110	55224	55923	56230	55225	55924	159800	55226	55930	159830	55227	55950	159832			190210	
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The explanations of such references are not, however, applicable to California intrastate traffic.																																						
(2) Sections 2-C and 2-D only of the Exception Ratings Tariff. (3) The Dangerous Articles Tariff (California Regulations). (4) The Distance Table (territorial descriptions only - see Item 30 herein).																																						
(b) Where the ratings and rules or other provisions or conditions provided in the governing publications described in paragraphs (a)(1), (2) and (4) are in conflict with those provided in this tariff, the provisions of this tariff will apply.																																						
(c) 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 (a)(1), (2) and (4), the provisions of the Dangerous Articles Tariff will apply.																																						
(d) Except as otherwise provided in this tariff, shipments subject to truckload ratings lower than Class 50 will be subject to rates provided for Class 50.																																						
of Change ) * Addition ) Decision No. 81115 ** Eliminated )																																						
EFFECTIVE																																						
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.																																					

SECTION 1--RULES	ITEM
<p style="text-align: center;"><b>DEFINITION OF TECHNICAL TERMS</b></p> <p><b>COMMISSION</b> means the Public Utilities Commission of the State of California.</p> <p><b>COMMON CARRIER RATE</b> 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><b>DISTANCE TABLE</b> means Distance Table 7 issued by the Commission.</p> <p><b>ESTABLISHED DEPOT</b> means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p><b>GOVERNING CLASSIFICATION</b> means National Motor Freight Classification A-13. (See Note)  <b>*NOTE.</b>--The provisions of Items 300100 through 300160 of the Governing Classification are not applicable on California intrastate traffic.</p> <p><b>INDEPENDENT-CONTRACTOR SUBHAULER</b> 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><b>MOTOR VEHICLE</b> 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><b>POINT OF DESTINATION</b> 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><b>POINT OF ORIGIN</b> 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><b>RATE</b> includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p><b>SAME TRANSPORTATION</b> 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><b>SHIPMENT</b> 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><b>UNCRATED NEW FURNITURE</b> 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><b>UNIT OF EQUIPMENT</b> means a single motor vehicle or more than one motor vehicle connected as a single highway train.</p>	<p style="text-align: center;">810</p>
<p>           * Change        )            * Addition    )    Decision No.         </p> <p style="text-align: center; font-size: 1.5em;">81115</p>	
<b>EFFECTIVE</b>	
<p>Correction</p>	<p style="text-align: right;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>