

Decision No. 81738

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

And Related Matter.

Case No. 5439  
Petition for Modification  
No. 164  
(Filed August 1, 1972)

Case No. 5441  
Petition for Modification  
No. 250  
(Filed August 1, 1972)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 81710 entered today in Case No. 5432  
(Petition for Modification No. 710) the Commission found that col-  
lection of charges provisions of various minimum rate tariffs should  
be revised and concluded that the amendment of Minimum Rate Tariffs  
1-B, 9-B, and 19 should be accomplished 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 September 15, 1973, Second Revised Page 23, attached hereto  
and by this reference made a part hereof.

2. Minimum Rate Tariff 1-B (Appendix B of Decision No. 65834,  
as amended) is further amended by incorporating therein, to become  
effective September 15, 1973, Second Revised Page 19-A, attached  
hereto and by this reference made a part hereof.

3. Minimum Rate Tariff 19 (Appendix A to Decision No. 41363, as amended) is further amended by incorporating therein, to become effective September 15, 1973, Twentieth Revised Page 19, attached hereto and by this reference made a part hereof.

4. Common carriers subject to the Public Utilities Act, to the extent they are subject to Decisions Nos. 41363, 65834, and 67766, as amended, are authorized to establish in their tariffs the amendments necessary to conform with the further adjustments herein.

5. Tariff publications authorized to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten 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.

6. 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.

7. In all other respects Decisions Nos. 41363, 65834, and 67766, as amended shall remain in full force and effect.

The effective date of this order shall be September 4, 1973.

Dated at San Francisco, California, this 14<sup>th</sup> day of AUGUST, 1973.

Vernon L. Sturgeon  
President  
William L. Holmes  
William L. Holmes  
Commissioners

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

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">COLLECTION OF CHARGES</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 payment of the charges thereon and may extend credit in amount of such charges accruing during a calendar month to those who undertake to pay them, such persons hereinafter being called debtors and collection thereof made not later than the tenth day (excluding Sundays and holidays) of the calendar month following the delivery of the freight. **</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. **</p> <p>§ (d) Freight bills for all transportation and accessorial charges shall be presented to the debtors not later than 12 o'clock midnight of the fifth day (excluding Sundays and holidays) of the calendar month following the delivery of the freight. **</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. **</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 style="text-align: center;">**</p> <p style="text-align: center;">**</p>	0170
<p>§ Change )          § Reduction ) Decision No. 81738          ** Eliminated )</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;">(1) COLLECTION OF CHARGES</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 accruing during a calendar month to those who undertake to pay them, such persons hereinafter being called debtors, and collection thereof made not later than the tenth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight. **</p> <p>§ (c) Where a 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. **</p> <p>§ (d) Freight bills for all transportation and accessorial charges shall be presented to the debtors not later than 12 o'clock midnight of the fifth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight. **</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. **</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 style="text-align: center;">**</p> <p style="text-align: center;">**</p>	6 145
<p>(1) Will not apply to the transportation of property for the United States, state, county or municipal governments.</p> <p>§ Change )  § Reduction ) Decision No. 81738  ** Eliminated )</p>	
EFFECTIVE	
<div style="display: flex; justify-content: space-between;"> <span>Correction</span> <span>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</span> </div>	

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">(1) COLLECTION OF CHARGES</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 accruing during a calendar month to those who undertake to pay them, such persons hereinafter being called debtors, and collection thereof made not later than the tenth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight. **</p> <p>§ (c) Where a 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. **</p> <p>§ (d) Freight bills for all transportation and accessorial charges shall be presented to the debtors not later than 12 o'clock midnight of the fifth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight. **</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. **</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 style="text-align: center;">**</p> <p style="text-align: center;">**</p> <p>(1) Will not apply to the transportation of property for the United States, state, county or municipal governments.</p>	<p style="text-align: center;">0120</p>
<p style="text-align: center;">COLLECTION OF LOSS AND/OR DAMAGE CLAIMS</p> <p>When incidental to transportation by the carrier, a charge of \$4.80 per claim shall be made by the carrier for the service of handling and collection of loss or damage claims against another carrier when the amount involved therein exceeds \$100.00. When the amount involved is \$100.00 or less, one percent of the amount involved shall be charged, subject to a minimum charge of \$1.20.</p>	<p style="text-align: center;">130</p>
<p>           § Change            )            § Reduction        )            ** Eliminated    )         </p> <p style="text-align: right;">Decision No. 81739</p>	
EFFECTIVE	
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