Decision No. 82925

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

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

Case No. 5439
Petition for Modification
No. 198
(Filed December 14, 1973;
amended January 4, 1974)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 82924 entered today in Case No. 5432 (Petition for Modification No. 779) et al. found that the rates and charges in Minimum Rate Tariff 9-B should be increased and that the amendment of that tariff should be accomplished by a separate order in order to avoid duplication of tariff distribution.

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 July 1, 1974, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix by this reference are made a part hereof.
- 2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 67766, as amended, are directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein of that decision.
- 3. Any provisions currently maintained in common carrier tariffs which are more restrictive than, or which produce charges greater than, those contained in Minimum Rate Tariff 9-B, are authorized to be maintained in connection with the increased rates and charges directed to be established by Ordering Paragraph 2 hereof.

- 4. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 9-B are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 9-B rates herein.
- 5. Common carriers maintaining rates on the same level as Minimum Rate Tariff 9-B rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 9-B are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 9-B rates herein.
- 6. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 9-B are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 9-B rates herein.
- 7. Common carriers, to the extent they maintain rates not otherwise specifically referenced in other ordering paragraphs hereof, are authorized to increase such rates by 5 percent.
- 8. Tariff publications required or authorized 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; such tariff publications as are required shall be made effective not later than July 1, 1974; and as to tariff publications which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date hereof.
- 9. Common carriers, in establishing and maintaining the rates 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 departues 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 rates published under this authority shall make reference to the prior orders authorizing longand short-haul departures and to this order.

- 10. In all other respects Decision No. 67766, as amended, shall remain in full force and effect.
- 11. To the extent Petition for Modification No. 198 is not granted herein, the petition is denied.

The effective date of this order shall be twenty days after the date hereof.

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day of	MAY		
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and die	laston d	stated in	三
A 5455	6		Mulle
		Shingen	Commissioners
	ran Cr. 1		Commissioners

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

APPENDIX A

LIST OF SUPPLEMENT AND REVISED PAGES TO MINIMUM RATE TARIFF 9-B

SUPPLEMENT 11

ELEVENTH REVISED PAGE 20

TWELFTH REVISED PAGE 21

THIRTEENTH REVISED PAGE 22

SIXTH REVISED PAGE 22-A

FIFTH REVISED PAGE 26

THIRTEENTH REVISED PAGE 29

FOURTEENTH REVISED PAGE 31

THIRTEENTH REVISED PAGE 34

FIFTEENTH REVISED PAGE 44

NINTH REVISED PAGE 44-A

SIXTEENTH REVISED PAGE 47

FIFTEENTH REVISED PAGE 47

. (END OF APPENDIX A LIST)

SUPPLEMENT 11

(Cancels Supplements 8 and 10 and Interim Surcharge Supplement and Order to this tariff in Decision No. 82453)

(Supplement 11 Contains All Changes)

TO

MINIMUM RATE TARIFF 9-B

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY

OVER THE PUBLIC HIGHWAYS

WITHIN A

DEFINED SAN DIEGO DRAYAGE AREA

BY

3000

HIGHWAY CONTRACT CARRIERS

CEMENT CONTRACT CARRIERS

RADIAL HIGHWAY COMMON CARRIERS

 αN

DUMP TRUCK CARRIERS

82925

Decision No.

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SECTION 1--RULES (Continued)

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ALTERNATIVE APPLICATION OF COMMON CARRIER RATES

Common carrier rates (including common carrier railroad switching rates) may be applied in lieu of the rates provided in this tariff when such common carrier rates produce a lower aggregate charge for the same transportation between the same points of origin and destination and for the same accessorial services than results from the application of the rates herein provided. (See Notes 1, 2, 3 and 4)

When the common carrier rate used does not include accessorial services performed by the carrier, the following charges for such accessorial services shall be added: (See Notes 1, 2, 3 and 4)

- (a) For loading onto carrier's equipment, the charges provided in paragraph (d).
- (b) For unloading from carrier's equipment, the charges provided in paragraph (d).
- (c) For other accessorial services for which charges are provided in this tariff, the additional charge or charges so provided.
- ◊(d) 9½ cents per 100 pounds.

NOTE 1.--When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item. When the rail carload rate is subject to a specified minimum weight, subject to the condition that if the car is loaded to full visible or weight carrying capacity, actual weight will apply, or to actual weight but not less than a lesser carload minimum weight, the actual weight will apply subject to the lesser carload minimum weight, if any.

NOTE 2.--When rail switching charges are applicable in connection with linehaul movements by rail and the gross weight of the shipment exceeds the applicable carload minimum weight, only one rail switching charge shall be assessed.

NOTE 3.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.

NOTE 4.--For the purpose of applying the provisions of this item, the definitions of Point of Destination and Point of Origin set forth in Item 11 will be applicable.

o Increase, Decision No. 8297

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		SEC	rion 1RULES (Cont	inued)		ITE
			ACCESSORIAL SERVI	CP.		
not o	d to be peri therwise pro The charge orial or inci	ormed under revided, addition therein provided therein provided the control services.	accessorial or inc ates named in this onal charges shall ded for unit of equ a requires its use,	idental service which tariff, and for which be assessed as provid ipment shall apply wh or whenever the unit being engaged in such	a charge is led in Item menever the ac- c of equipment	120
		d.	DELAYS TO EQUIPME	nt	·	
minut	vicinity of	t either point	ee is responsible for of loading or point and in the contract of the contract	for delay to carrier's tof unloading in extoading or unloading), hall be assessed as pro-	ress of 30 . additional	1.3
minut	n vicinity o: :es (exclusives for dela)	t either point ye of time act time in exce	ee is responsible for of loading or point and in the contract of the contract	et of unloading in exception of unloading in exception of unloading), all be assessed as property of the control of the contro	ress of 30 . additional	13
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ø Change)
♦ Increase) Decision No.

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MINIMUM RATE TARIFF 9-B

SECTION	1RULES	(Continued)
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ITEM

CHARGES FOR ESCORT SERVICE

In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring escort service:

- (a) A charge of \$13.60 per hour, plus 10% cents per actual mile, shall be made for each escort vehicle and driver furnished, for the time and distance said vehicle and driver are engaged in such service. (See .. Notes 1 and 2)
- (b) A charge shall be made equal to the actual cost of any bridge or ferry tolls incurred for each escort car.

NOTE 1. -- Service shall commence with departure of each escort vehicle from its point of dispatch and terminate with the return of each escort car to its point of dispatch, excluding off-duty hours.

0150

0160

NOTE 2 .-- Charges for fractions of an hour shall be determined in accordance with the following table:

MINUTES .

	But			•
Over	Not Over			
0	8			-omit
8	23	shall	be 4	hour
23	38	shall	be 4	hour
38	53:	shall	be 4	hour
53		shall	be 1	hour

CHARGES FOR PERMIT SHIPMENTS

In addition to all other applicable rates and charges named in this tariff, the following charges shall be assessed on shipments requiring transportation pormits:

- (a) A charge of \$15.35 shall be made for the service of securing each permit, and
- (b) A charge shall be made equal to the fee, if any, assessed by the governmental agency for issuing each permit.

♦ Increase, Decision No.

EFFECTIVE

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA,

Correction

Correction

	SECTION 1RULES (Continued)	ITE
	DANGEROUS ARTICLES	-
Dane	gerous Articles include those articles described in and subject to the	
-	ns of the Dangerous Articles Tariff.	
or prior	gerous articles must not be accepted for transportation unless at the time of to the initial pickup the consignor has furnished to the carrier written ion as required under the regulations of the Dangerous Articles Tariff.	
TO to	the extent hereinafter provided, the following provisions of this tariff will by to shipments of dangerous articles:	
1.	Item 220 (Mixed Shipments) will not apply to shipments containing one or more commodities which the Dangerous Articles Tariff prohibits being transported at the same time on a single unit of carrier's equipment.	16
2.	Items 180-182 (C.O.D. Shipments) and 300 (Split Delivery) will not apply to shipments, including any component parts thereof, containing explosives (Class A, B or C) and/or any other dangerous articles which may not be left unattended in the carrier's equipment under the regulations of the Dangerous Articles Tariff.	
	FAILURE TO ACCOMPLISH DELIVERY (Applies only in connection with Item 165)	
through 48 hours notice w placed i subject	ept as otherwise provided in the Dangerous Articles Tariff, if the Carrier, no fault of its own, is unable to effect delivery of any shipment within a excluding Saturdays, Sundays and holidays, after receipt of the shipment, will be sent or given to consigner or consignee that the shipment is being in storage. Thereafter the shipment will be stored at carrier's terminal to the rates and charges set forth below, or at carrier's option may be in public warehouse. For each of the first five days, 5% cents per 100 pounds.	
Mir	For the sixth and each succeeding day, 8 cents per 100 pounds.	øl
In	days or less, 77 cents; 6 days or more, \$1.18. computing time, any fractional part of 24 hours will be counted as one day.	,
In	computing charges, any fractional part of 100 pounds will be com- puted as 100 pounds.	İ
øSh: charge	ipments unloaded from vehicle and reloaded on vehicle will be subject to a of 054.20 per ton in addition to all other charges.	
Sul	osequent delivery from point of storage will be charged as a new shipment.	
	Change Decision No. 82925	•

		SECTION 1ROLES	(Continued)	ITEM
		COLLECT ON DELIVERY	C.O.D.) SHIPMENTS of the Governing Classification)	
The		llecting and remitting	ng the amount of C.O.D. bills collected on	
	amount cted is		Charge for collecting and remitting will be	
Not Over Over			2.90	
Over Over	110 not over 120 not over	120	3.10	
Over	140 not over			-
Over	160 not over	180	3.65	İ
Ovor	180 not over	200	3.85	ì
Over	200 not over	250		1
Over	250 not over	300		Ī
Over	300 not over	350	4.84	\$182
Over	350 not over		5.15	
Over	400 not over	- - •	5.63	
Over	450 not over	500	6.12	
Over	500 not over	550		
Over	550 not over	600	7-08	1
Over	600 not over		7.57	İ
Over	650 not over	700		1
Over	700 not over		8.54	
Over	750 not over	800	9.02	
Over	800 not over			1
Over	850 not over			
Over	900 not over		10.47	
Over	950 not over	1,000	10.96	}

o Increase, Decision No.

82925

EFFECTIVE

SECTION 1--RULES (Continued)

ITEM

MINIMUM CHARGE

Except as otherwise provided, the minimum charge per shipment shall be as follows: (See Note)

Weight of Shipment (In Pounds)

Over	But Not Over	Charge (In Cents)	, .
0 25 50 75	25 50 75 100 150	575	210
150 200 250 300 400	200 250 300 400 500	620 665 700 755 820	
500 600 700 800 900	600 700 800 900	905 1000 1055 1165 1270	

NOTE. -- Will not apply on shipments made under the provisions of Item 420.

O Increase, Decision No.

EFFECTIVE

Correction

THIRTEENTH REVISED PAGE....31

SECTION 1--RULES (Continued)

ITEM

0230

POOL SHIPMENTS

(a) Pool shipments unloaded or segregated within the San Diego Drayage Area shall be subject to the following rates, in addition to transportation rates:

Merchandise classified as:

Class:	100	925	85	775	70	65	60	55	50
Rates in cents per 100 pounds:	56	53	50	47	45	43	41	.39	38

- Classification ratings shall be based upon the LTL (less-truckload) ratings **(b)** in the Governing Classification, Sections 2-A or 2-C of the Exception Ratings Tariff, or this tariff.
- (c) Articles taking a rating higher than Class 100 shall be computed upon the percentage of the Class 100 rating, as set forth in the Governing Classification, Sections 2-A or 2-C of the Exception Ratings Tariff, or this tariff, except that shipments consisting of articles rated higher than Class 150 in the Governing Classification, Sections 2-A or 2-C of the Exception Ratings Tariff, or this tariff shall be subject to the rates applicable for Class 150.
- (d) No additional charge shall be made under this item on shipments for which transportation charges are based on a minimum weight of 20,000 pounds when the carrier performing the distribution service receives a transportation charge on such shipment from the distribution point.
- (e) See Item 220 for mixed shipments.
- (f) When a pool shipment is segregated at and delivery is made from carrier's established depot, said depot will be considered as being located within Metropolitan Zone 301 for the purpose of assessing transportation charges under this tariff, and transportation rates shall be applied from Metropolitan Zone 301 as point of origin-
- Rates named in this item alternate with rates for the same services contained in tariffs filed with the Commission pursuant to the provisions of the Public Utilities Act, and in effect on the date the services are performed.

O Increase, Decision No.

EFFICTIVE

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

Correction

TWELFTH REVISED PAGE.....34

SECTION 1--RULES (Continued)

ITEM

SPLIT DELIVERY

The rate for transportation of a split delivery shipment shall be the rate applicable for the rate base determined as follows:

- (a) When point of origin and all points of destination are within a single zone, apply rate for rate basis B, subject to Notes 1, 2, and 3;
- (b) When point of origin and all points of destination are within the area encompassed by two adjoining Metropolitan Zones, apply rate for rate basis C, subject to Notes 1, 2, and 3 (Metropolitan Zone 305 does not adjoin any other zone, except Metropolitan Zone 311, for the purposes of this rule);
- (c) For all other shipments, apply rates for rate basis F, subject to Notes 1, 2, and 3.

NOTE 1 .-- For each split delivery shipment a single bill of lading or shipping order shall be issued. It shall describe the kind and quantity of property for the entire shipment, and bear the date such property is physically accepted by the carrier. At the time of or prior to the tender of the shipment the carrier shall be furnished with written instructions showing the name of each consignee, the point or points of destination, and a description of the kind and quantity of property in each component part of the split delivery shipment.

NOTE 2.--If shipping instructions do not conform with the requirements of Note 1 horsof, each component part of the split delivery shipment shall be rated as a separate shipment under other provisions of this tariff. When shipping instructions do conform with the requirements of Note 1 hereof, component parts of split delivery shipments shall not be treated as separate shipments.

4300

NOTE 3 .-- In addition to the rate for transportation, the following additional charges shall be assessed for split delivery service:

Weight of Component Parts (Pounds)

Split Delivery Charge for Each Component Part in Cents

Over	But Not Over	. *	9.3	
0	500	 		270
500	1000	 		325
1000	2000	 		470
2000	4000	 		645
4000	10000	 		730
10000		 		865

NOTE 4.--Rates provided in this tariff do not apply to transportation of split delivery shipments unless point of origin and all points of destination are within the San Diego Drayage Area. When point of origin or one or more points of destination are located outside of the San Diego Drayage Area, rates in Minimum Rate Tariff 2 shall apply.

♦ Increase, Decision No.

EFFECTIVE

		SECTIO	n 2rate	DASES AN	RATES (C	Continued)			
			(In Ce	CLASS RAI	res 00 Pounds)	l			
				Any Qu	antity				
Rate Basis	100	924	85	775	70	65	60	55	50
A B C D E F	130 158 176 197 209 228	124 150 167 188 198 216	117 142 158 178 188 206	110 134 150 168 178 194	104 126 140 158 167 182	100 122 136 152 161 176	96 116 130 146 154 168	91 110 123 138 146 160	88 107 120 134 142 155
			Minimu	ım Weight	2,000 Pou	nds	<u>-</u>		
Rate Basis	100	925	85	775	70	65	60	55	50
A B C D E F	108 124 136 152 165 184	103 118 128 144 157 175	98 111 122 136 148 166	92 105 115 128 140 156	87 99 108 121 132 148	84 95 104 116 127 142	80 92 100 112 122 136	76 86 94 106 116 129	74 84 92 103 112 126
			Minim	ım Weight	4,000 Pou	nds			
Rate . Basis	100	925	85	775	70	65	60	55	50
A B C D E	78 90 108 118	74 85 102 112	70 80 96	66 76 92 100	62 72 86 94	60 69 82 91	58 66 80 88	54 62 75 82	52 60 73 80

O Increase, Decision No.

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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA,

Correction

	SECTION 2RATE BASES AND RATES (Continued)										
		-	(In Ce	CLASS RA)	,	,			
			Minimu	m Weight	10,000 Po	unds .				-	
Rate Basis	100	925	85	773	70	65	60	55	50		
A B C D E	54 69 78 85 100	52 66 74 80 96 102	48 62 70 76 90	46 58 66 72 86 91	43 55 62 68 80 86	42 53 60 65 78 82	40 51 58 62 74 79	38 48 55 60 70 75	36 46 53 58 68 73		
		- <u>.</u>	Minimu	m Weight	20,000 Po	unds				_	
Rate Basis	100	92 5 .	85	775	70	65	60	55	50	041	
ABCOEF	44 51 58 67 72 80	41 48 54 64 68 76	39 46 52 60 65 72	37 43 48 57 62 68	35 40 46 54 58 64	34 39 44 52 56 62	32 38 42 50 54 59	31 36 40 47 50 56	30 34 39 46 49 54		
	· .		Minimu	m Weight	30,000 Po	unds			·		
Rate Basis	100	925	85	774	70	65	60	55	50		
ABCOHF	39 44 48 51 58 62	37 41 46 48 54 58	35 39 43 46 52 56	33 37 40 43 48 52	32 34 38 40 46 49	30 33 36 39 44 48	29 32 35 38 42 46	28 31 34 36 40 43	26 30 32 34 39 42		

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FIFTEENTH REVISED PAGE....47

SECTION 3--EQUIPMENT RATES AND RULES

ITEM

0500

RULES

- (a) Rates named in this section are subject to Items 10 and 11, Definitions of Technical Terms; Item 20, Application of Tariff; Item 30, Application of Tariff—Territorial; Items 50 and 51, Application of Tariff—Commodities; Item 150, Charges for Escort Service; Item 160, Charges for Permit Shipments; Item 165, Dangerous Articles; Item 170, Collection of Charges; Items 180, 181 and 182, Collect on Delivery (C.O.D.) Shipments; Items 200 and 201, Issuance of Shipping Documents; Item 250, References to Items and Other Tariffs; and Item 260, Units of Measurement To Be Observed. They are not subject to the other rules provided in Section 1.
- (b) Rates named in this section are subject to Items 110 and 565 of the Governing Classification. They are not subject to the other rules of the Governing Classification.
- (c) Rates named in this section apply only when the property is transported by one carrier for one shipper.
- (d) Prior to the transportation of the property, the shipper must enter into written agreement with the carrier to ship at rates no lower than those provided in this section, stating specifically the class of service desired. (See Item 510.) Except as herein provided, no single agreement shall cover shipments transported over a period in excess of 31 days. EXCEPTION: The agreement will not be necessary for transportation of overweight and/or oversize shipments for which a special permit has been issued pursuant to the provisions of Sections 35780 to 35784, inclusive, of the Vehicle Code, State of California, and attached to or identified on the shipping document.
- (e) Rates named in Item 520 are subject to an additional charge at the rate of \$11.40 per man, per hour, minimum charge one-half hour, when carrier furnishes help in addition to the driver. The time for computing the additional charge shall be not less than the actual time in minutes the helper or helpers are engaged in performing the services. The total time so computed shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the table provided in Note 1(c), Item 520.
- (f) When carrier's equipment is painted, lettered or marked, or when special equipment or accessories are furnished by the carrier, in connection with transportation which is performed subject to the rates named in Item 520, a charge not less than the cost of painting, lettering or marking or the costs applicable to the use of the special equipment or accessories shall be made.

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SECTION 3--EQUIPMENT RATES AND RULES (Concluded)

ITEM .

FREIGHT, regardless of classification, subject to Note 1:

Madaha da massa.	(1)(2) Rat	tes in Cents	Per Hour
Weight in Pounds (See Note 2)	Column 1	Column 2	Column 3
Less than 12,000	1315	1855	2385
12,000 but not over 20,000	1355 1455	1865 1945	2390 2400

- (1) Minimum Charge-The charge for one hour.
- (2) Rates do not include bridge or ferry tolls. Such tolls, when incurred by the carrier, shall be added to the transportation charges.
- Column 1--Rates per unit of equipment with driver, except for time equipment is operated in excess of 8 hours out of 9 consecutive hours, and except when operated on Saturdays, Sundays or holidays.
- Column 2--Rates per unit of equipment with driver for time equipment is operated in excess of 8 hours out of 9 consecutive hours or on Saturdays, Sundays or the following holidays: Washington's Birthday, Memorial Day, the day after Thanksgiving or the day before Christmas.
- Column 3--Rates per unit of equipment with driver for time equipment is operated on the following holidays: Independence Day, Labor Day, Thanksgiving Day, Christmas or New Year's Day.

NOTE 1 .--

♦520

- (a) Subject to paragraph (b) below, rates in this item apply from the time the truck and driver report for service pursuant to the shipper's order to the time of completion of the last trip under such order. EXCEPTION: If the single transaction covers a period in excess of one day, time consumed in driving from last point of destination to the carrier's terminal at the close of one day's business, and from the carrier's terminal to the point of origin at the boginning of the next day's business will not be included in computing the chargeable time.
- (b) In computing time for trailer shuttle service no time shall be charged for the movement of truck tractors without load or for trailers or semitrailers without power unit except when such trailers are being loaded or unloaded.
- (c) In computing time under the basis outlined in paragraphs (a) and (b) hereof the various time factors shall not be less than the actual time involved in minutes. After the total time has been determined under the provisions of paragraph (a) hereof, it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:

Less than 8 minutes -- omit.

- 8 minutes or more but less than 23 minutes shall be & hour.
- 23 minutes or more but less than 38 minutes shall be 5 hour.
- 38 minutes or more but less than 53 minutes shall be & hour.
- 53 minutes or more shall be 1 hour.

NOTE 2. -- The normal carrying capacity of each vehicle unit shall be determined by the carrier based upon that amount of property in pounds, which physically can be loaded therein and safely transported under normal conditions.

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effective