

Decision No. 83698

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi-)
gation into the rates, rules,)
regulations, charges, allowances)
and practices of all common)
carriers, highway carriers and)
city carriers relating to the)
transportation of property 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
Petition for Modification
No. 285

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff 1-B names minimum rates and rules for the transportation of general commodities by highway permit carriers within and between the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont. Decisions Nos. 82924 and 82926 established revised rates for this transportation.

It has come to the Commission's attention that one of the revised tariff pages attached to Decision No. 82926 contains an omission in wording.¹

¹The first paragraph of Item 180 of Minimum Rate Tariff 1-B (Fourth Revised Page 23-A) should have read:

"Except as otherwise provided in the Dangerous Articles Tariff, if the carrier, through no fault of its own, is unable to effect delivery of any shipment within 48 hours, excluding Saturdays, Sundays and holidays, after receipt of the shipment, notice will be sent or given to consignor or consignee that the shipment is being placed in storage. Thereafter the shipment will be stored at carrier's terminal subject to the rates and charges set forth below, or at carrier's option may be placed in public warehouse."

The underscored portion of the above paragraph contains the wording which was omitted.

In the circumstances, the Commission finds that the necessary correction should be made by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 1-B should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 1-B (Appendix B to Decision No. 65834, as amended) is further amended by incorporating therein, to become effective December 7, 1974, Fifth Revised Page 23-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 to Decision No. 65834, as amended, are hereby directed to establish in their tariffs the amendment 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 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 on not less than ten days' notice to the Commission and to the public and shall be made effective not later than December 7, 1974.
4. Common carriers, in establishing and maintaining the amendment 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 amendment 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. 65834, as amended, shall remain in full force and effect.

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

C.5441 (Pet.285) - anv

Dated at San Francisco, California, this 6th day of
November, 1974.

Union L. Spurgeon
President
William Symons Jr.
[Signature]
Robert E. Merland
Commissioners

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

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">DANGEROUS ARTICLES</p> <p>Dangerous Articles must not be accepted for transportation unless at the time of or prior to the initial pickup the consignor has furnished to the carrier written information as required under the regulations of the Dangerous Articles Tariff.</p> <p>To the extent hereinafter provided, the following provisions of this tariff will not apply to shipments of dangerous articles:</p> <ol style="list-style-type: none"> 1. Item 320 (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. 2. Items 150-152 (C.O.D. Shipments) 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. 	175
<p style="text-align: center;">FAILURE TO ACCOMPLISH DELIVERY</p> <p>Except as otherwise provided in the Dangerous Articles Tariff, if the carrier, through no fault of its own, is unable to effect delivery of any shipment within 48 hours, excluding Saturdays, Sundays and holidays, after receipt of the shipment, notice will be sent or given to consignor or consignee that the shipment is being placed in storage. Thereafter the shipment will be stored at carrier's terminal subject to the rates and charges set forth below, or at carrier's option may be placed in public warehouse.</p> <p>For each of the first five days, 5½ cents per 100 pounds.</p> <p>For the sixth and each succeeding day, 8 cents per 100 pounds.</p> <p>Minimum storage charge per shipment on freight held beyond 48 hours, 5 days or less, 77 cents; 6 days or more, \$1.18.</p> <p>In computing time, any fractional part of 24 hours will be counted as one day.</p> <p>In computing charges, any fractional part of 100 pounds will be computed as 100 pounds.</p> <p>Shipments unloaded from vehicle and reloaded on vehicle will be subject to a charge of \$4.25 per ton in addition to all other charges.</p> <p>Subsequent delivery from point of storage will be charged as a new shipment.</p>	180
<p>Change, Decision No. 83698</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>	