

**ORIGINAL**Decision No. 84207

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
 of National Motor Freight Traf- )  
 fic Association, Inc., Agent, )  
 for and on behalf of certain )  
 highway common carriers and ex- )  
 press corporations, for authority )  
 to make various revisions in )  
 National Motor Freight Classifi- )  
 cation NMF 100 A. )

Application No. 55464  
 (Filed January 30, 1975)

In the Matter of the Investiga- )  
 tion into the rates, rules, re- )  
 gulations, charges, allowances )  
 and practices of all common car- )  
 riers, highway carriers and city )  
 carriers relating to the trans- )  
 portation of any and all com- )  
 modities between and within all )  
 points and places in the State )  
 of California (including, but not )  
 limited to, transportation for )  
 which rates are provided in )  
 Minimum Rate Tariff No. 2). )

Case No. 5432  
 Petition for Modification  
 No. 838  
 (Filed January 30, 1975)

And Related Matters

) Case No. 5436, Petition No. 183  
 )  
 ) Case No. 5439, Petition No. 242  
 )  
 ) Case No. 5441, Petition No. 331  
 )  
 ) Case No. 5603, Petition No. 167  
 )  
 ) Case No. 7783, Petition No. 114  
 )  
 ) Case No. 7857, Petition No. 118  
 )  
 ) Case No. 7858, Petition No. 189

(Filed January 30, 1975)

OPINION AND ORDER

Various common carriers engaged in intrastate transportation within California participate in National Motor Freight Classification NMF 100 A hereinafter referred to as the Governing Classification, for class ratings and other provisions. Also, various Commission minimum rate tariffs are subject to the class ratings and/or other provisions of such classification.

By Application No. 55464, National Motor Freight Traffic Association, Inc., Agent, seeks authority, on behalf of such common carriers, to reissue the current Governing Classification as National Motor Freight Classification NMF 100 B to become effective April 1, 1975.<sup>1</sup> By the above petitions California Trucking Association proposes that National Motor Freight Classification NMF 100 B be adopted and prescribed as the Governing Classification for the Commission's minimum rate tariffs.<sup>2</sup>

Applicant and petitioner state that the Governing Classification is periodically reissued to minimize the difficulties which accompany excessive supplementation of tariff material, and accordingly the present classification is being reissued as National Motor Freight Classification NMF 100 B, with an effective date of April 1, 1975.

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<sup>1</sup> The proposed reissue of National Motor Freight Classification NMF 100 A is set forth in Exhibit A of Application No. 55464.

<sup>2</sup> The tariffs are Minimum Rate Tariffs 1-B (East Bay Drayage), 2 (General Commodities Statewide), 6-B (Petroleum and Petroleum Products Statewide), 9-B (San Diego Drayage), 11-A (Uncrated New Furniture Statewide), 14-A (Agricultural Commodities Statewide), 15 (Vehicle Unit Rates), 19 (San Francisco Drayage) and Exception Ratings Tariff 1.

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Copies of the application and petitions were mailed to various chambers of commerce, shipper organizations, carrier representatives and other interested parties on or about January 28, 1975. The application and petitions were listed on the Commission's Daily Calendar of January 31, 1975. No objection to the granting of the application and petitions has been received.

In the circumstances, the Commission finds that applicant's and petitioner's proposals are reasonable and justified subject to the conditions hereinafter ordered. A public hearing is not necessary. The Commission concludes that the application and petitions should be granted to the extent indicated in the ensuing order. The necessary amendments to Minimum Rate Tariff 2 and Exception Ratings Tariff 1 will be made in the order which follows. Amendments to the other minimum rate tariffs will be made by separate orders to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. National Motor Freight Traffic Association, Inc., Agent, on behalf of the involved common carriers participating in National Motor Freight Classification NMF 100 B, is authorized to establish and publish the classification ratings and rules set forth in Application No. 55464 to become effective not earlier than April 1, 1975, on not less than one day's notice to the Commission and to the public, subject to the conditions specified in Ordering Paragraph 2 hereof.

2. Common carriers named in Application No. 55464 shall observe only those ratings and rules which are reissues of ratings and rules that are currently in effect on California intrastate traffic in connection with their particular operations.

3. Except as otherwise provided in Ordering Paragraph 9 hereof, the classification ratings and rules authorized herein are approved and adopted as the just, reasonable and nondiscriminatory

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ratings and rules to govern the minimum rates and rules promulgated by the Commission in Minimum Rate Tariffs 1-B, 2, 6-B, 9-B, 11-A, 14-A, 15 and 19.

4. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective April 1, 1975, Forty-ninth Revised Page 11 and Sixth Revised Page 15-C, attached hereto and by this reference made a part hereof.

5. Exception Ratings Tariff 1 (Appendix A to Decision No. 66195, as amended) is hereby further amended by incorporating therein, to become effective April 1, 1975, Sixteenth Revised Page 6, attached hereto and by this reference made a part hereof.

6. Tariff publications required to be made by common carriers as a result of Ordering Paragraph 3 hereof shall be made effective April 1, 1975, on not less than 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 Ordering Paragraph 3 hereof may be made effective not earlier than April 1, 1975, 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 June 1, 1975.

7. The classification ratings and rules authorized to be established by Ordering Paragraph 3 hereof are authorized to be made applicable also for the transportation of:

- (a) Commodities for which minimum rates have not been established, or
- (b) Commodities which are subject to higher rates than, or more restrictive provisions than, the minimum rates or provisions otherwise applicable, or
- (c) Commodities for which rates have been established based upon Minimum Rate Tariffs 1-B, 2, 6-B, 9-B, 11-A, 14-A, 15 and 19.

8. Any provisions currently maintained in common carrier tariffs, which are more restrictive than, or which produce charges greater than, those contained in Minimum Rate Tariffs 1-B, 2, 6-B, 9-B, 11-A, 14-A, 15 and 19 are authorized to be maintained in connection with the ratings and rules authorized and directed to be established herein.

9. Except as provided in Ordering Paragraph 8 hereof, common carriers are not authorized to publish ratings and rules which are different from, and are superseded by present exceptions contained in Exception Ratings Tariff 1 and Minimum Rate Tariffs 1-B, 2, 6-B, 9-B, 11-A, 14-A, 15 and 19.

10. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decisions Nos. 31606 and 66195, as amended, are hereby directed to establish in their tariffs the provisions necessary to conform with the further adjustments ordered herein.

11. Common carriers, in establishing and maintaining the ratings and rules 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 ratings and rules published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

12. In all other respects, Decisions Nos. 31606 and 66195, as amended, shall remain in full force and effect.

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The effective date of this order shall be March 28, 1975.

Dated at San Francisco, California, this 18<sup>th</sup> day of  
March, 1975.

Vernon L. Sturgeon  
President

William Synow Jr.

~~William Synow Jr.~~

Leonard Ross  
Commissioners

SECTION 1--RULES OF GENERAL APPLICATION	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10, 11 and 12)</p> <p>AIR-MILE means a statute mile measured in a straight line without regard to terrain features or differences in elevation.</p> <p>ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bullet proof glass, and which is manned by an armed crew.</p> <p>CARRIER means a radial highway common carrier, a highway contract carrier, a cement contract carrier or a dump truck carrier as defined in the Highway Carriers' Act, or a household goods carrier as defined in the Household Goods Carriers Act.</p> <p>CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semitrailer, or any combination of such highway vehicles, operated by the carrier.</p> <p>COMMON CARRIER RATE 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>COMPONENT PART means any part of a shipment received by the carrier whether or not such part is separately delivered by the carrier; and any part of a shipment separately delivered by the carrier whether or not such part is separately received by the carrier.</p> <p>CONSIGNOR means the person, firm or corporation shown on the bill of lading as the shipper or the property received by the carrier for transportation.</p> <p>§DANGEROUS ARTICLES TARIFF means Hazardous Materials Tariff 111-A, Cal.P.U.C. 11. * American Trucking Associations, Inc., Agent.</p> <p>DEBTOR means the person obligated to pay freight charges to the carrier, whether consignor, consignee or other party.</p> <p>DISTANCE TABLE means Distance Table 7 issued by the Cal.P.U.C.</p> <p>ESCORT SERVICE means the furnishing of pilot cars or vehicles by a carrier as may be required by any governmental agency to accompany a shipment for highway safety.</p> <p>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>EXCEPTION RATINGS TARIFF means Exception Ratings Tariff 1 issued by the Cal.P.U.C.</p> <p>§GOVERNING CLASSIFICATION means National Motor Freight Classification NMFC 100 B.</p> <p>HOLIDAYS means New Year's Day (January 1), Washington's Birthday (the third Monday in February), Memorial Day (the last Monday in May), Fourth of July, Labor Day (the first Monday in September), Thanksgiving Day, the day after Thanksgiving, December 24 and Christmas Day (December 25). When a holiday falls on Sunday, the following Monday shall be considered as a holiday.</p> <p>INDEPENDENT-CONTRACTOR SUBHAULER 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 result of the work only and not as to the means by which such result is accomplished.</p> <p style="text-align: center;">(Continued in Item 11)</p>	
<p>§ Change, Decision No.</p> <p style="text-align: center; font-size: 1.5em;">84207</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>1. This tariff is governed to the extent shown herein by:</p> <p>(a) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof (See Notes 1, 2 and 3):</p> <p>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;</p> <p>*112; 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;</p> <p>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;</p> <p>365; 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428;</p> <p>430, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11(a), 11(b), 13 and 14;</p> <p>455; 520; 535; 540; 565; 580; 595; 640; 645; 680; 685; 687; 689; 765; 770, Section 2; 780, Section 2; 845; 995; 997 (Section 2 only).</p> <p>*Note 1.--The provisions of Item 41520, Sub 1 of the Governing Classification are the only provisions of this item applicable on California Intrastate Traffic. The ratings shown for the item proper and Sub 2 have no application on California Intrastate Traffic.</p> <p>*Note 2.--The provisions of Item 55890, Sub 2 of the Governing Classification shall be subject to a Minimum Weight of 12,000 pounds on California Intrastate Traffic.</p> <p>*Note 3.--Where dual provisions are set forth in Items 360, 580, *56900, 56960, *108145, *108147, *108150, *108152, *108154, *108155, *108156, *108157, *108158, *157465,** and the Uniform Order Bill of Lading and the Uniform Through Export Bill of Lading Order Bill of Lading of the Governing Classification, only those provisions of said items preceded with the reference (P1), (P2), (P3), **, (P5), *(S1), *(S2) and (S4), will apply on California intrastate traffic. The explanation of such references are not, however, applicable to California intrastate traffic.</p> <p>(b) The Exception Ratings Tariff.</p> <p>(c) The Dangerous Articles Tariff (California Regulations).</p> <p>(d) The Distance Table.</p> <p>2. Where the ratings and rules or other provisions or conditions provided in the governing publications described in paragraphs 1(a), (b) and (d) hereof are in conflict with those provided in this tariff, the provisions of this tariff will apply. 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 1(a), (b) and (d) hereof, the provisions of the Dangerous Articles Tariff will apply.</p>	<p style="text-align: center;">850</p>
<p>           * Change )            * Addition ) Decision No.            ** Eliminated )         </p> <p style="text-align: center; font-size: 1.5em;">84207</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>	



## EXCEPTION RATINGS TARIFF 1

SIXTEENTH REVISED PAGE....6  
 CANCELS  
 FIFTEENTH REVISED PAGE....6

SECTION 1--RULES		ITEM
<p>DEFINITIONS OF TECHNICAL TERMS</p> <p>⊘DANGEROUS ARTICLES TARIFF means Hazardous Materials Tariff 111-A, Cal.P.U.C. 11, of American Trucking Associations, Inc., Agent and supplements thereto or reissues thereof.</p> <p>⊘GOVERNING CLASSIFICATION means National Motor Freight Classification NMF 100 B.</p>		⊘20
EXPLANATIONS OF ABBREVIATIONS, LETTERS OR SYMBOLS		40
Abbreviations, Letters or Symbols	EXPLANATION	
<p>CAL.P.U.C. Col. ERT GC Lbs. No. NOIDN</p> <p>N.O.S. or n.o.s. " \$</p>	<p>Public Utilities Commission of the State of California. Column. Exception Ratings Tariff 1. Governing Classification. Pounds. Number. Not otherwise indexed by name in this Exception Ratings Tariff or in the GC. The abbreviation "noibn" means that the description of which it is a part applies on articles included in the same "NOI" description in the Governing Classification.</p> <p>Not otherwise specified in this tariff. Ditto (same). Dollars.</p>	
<p>⊘ Change, Decision No. <b>84207</b></p>		
EFFECTIVE		
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	