

Decision No. 85235

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 relating to the transportation
of livestock and related items (commod-
ities for which rates are provided in
Minimum Rate Tariff No. 3-A).

Case No. 5433

And Related Matters.

Cases Nos. 5438 and 7857

SUPPLEMENTAL OPINION AND ORDER

Decision No. 85233 entered today in Case No. 9811 extended the period of time from seven to fifteen days during which carriers may extend credit in Minimum Rate Tariffs 3-A, 8, and 14-A, and found that amendment of the tariffs should be accomplished by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 3-A (Appendix A of Decision No. 55587, as amended) is further amended by incorporating therein, to become effective February 1, 1976, Third Revised Page 13, attached hereto and by this reference made a part hereof.

2. Minimum Rate Tariff 8 (Appendix C of Decision No. 33977, as amended) is further amended by incorporating therein, to become effective February 1, 1976, Fourth Revised Page 22, attached hereto and by this reference made a part hereof.

3. Minimum Rate Tariff 14-A (Appendix A of Decision No. 67397, as amended) is further amended by incorporating therein, to become effective February 1, 1976, Sixth Revised Page 18, attached hereto and by this reference made a part hereof.

4. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decisions Nos. 55587, 33977, and 67397, as amended, are authorized to establish in their tariffs the amendments necessary to conform with the further adjustments of said decisions ordered herein.

5. Any provisions currently maintained in common carrier tariffs which are more restrictive than those contained in Minimum Rate Tariffs 3-A, 8, and 14-A are authorized to be maintained in connection with the changes authorized by Ordering Paragraph 4 hereof.

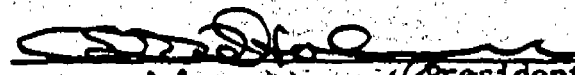
6. Tariff publications authorized to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than the fifth day after the effective date of this order, and may be made effective on not less than five days' 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.

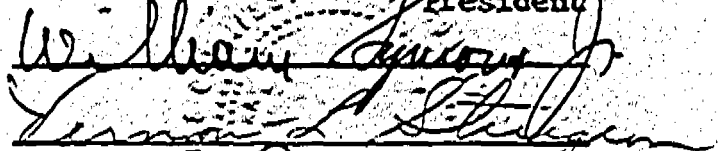
7. Common carriers, in establishing and maintaining the changes authorized by this order, are authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the changes published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

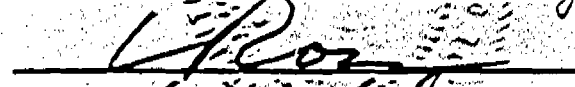
8. In all other respects, Decisions Nos. 55587, 33977, and 67397, as amended, shall remain in full force and effect.


The effective date of this order is the date
hereof.

Dated at San Francisco, California, this 16th
day of DECEMBER, 1975.



President






Commissioners

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 to those who undertake to pay them, such persons herein being called debtors, for a period of 615 days, excluding Saturdays, Sundays and legal holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill.</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 within 7 calendar days from the first 12 o'clock midnight following 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>(1) Will not apply to the transportation of property for the United States, state, county or municipal governments.</p>	#230
<p>§ Change) § Reduction) Decision No. 85235</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 OF GENERAL APPLICATION (Continued)

ITEM

(1) COLLECTION OF CHARGES

(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.

§ (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 to those who undertake to pay them, such persons herein being called debtors, for a period of 615 days, excluding Sundays and legal holidays other than Saturday half-holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill.

(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.

(d) Freight bills for all transportation and accessorial charges shall be presented to the debtors within 7 calendar days from the first 12 o'clock midnight following delivery of the freight.

(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.

(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.

(1) The provisions of this rule will not apply to transportation of property for the United States, state, county, or municipal governments.

§260

§ Change)
 o Reduction) Decision No.

85235

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;">COLLECTION OF CHARGES</p> <p>§ 1. The carrier shall collect all transportation and accessorial charges before relinquishing possession of the shipment; or, at its discretion, may extend credit in the amount of such charges for a period not to exceed 615 calendar days after presentation of the freight bill to the debtor.</p> <p>2. Except as provided in Item 180, Field Pickup Shipment, the freight bill shall be presented to the debtor within seven calendar days after delivery of the shipment.</p>	<p style="text-align: center;">§240</p>
<p style="text-align: center;">ISSUING DOCUMENTS (Items 250 and 251)</p> <p>1. A shipping document shall be issued by the carrier to the debtor for each shipment received for transportation. The shipping document shall be issued at the time of or prior to the pickup of the shipment. It shall show the following information:</p> <ul style="list-style-type: none"> (a) Name of carrier. (b) Date of shipment. (c) Name of debtor, name of consignor and name of consignee. (d) Point of origin and point of destination. (e) Description of kind and quantity of property constituting the shipment. <p>2. Special provisions for shipping documents applicable in connection with multiple lot shipments, split pickup, split delivery and field pickup shipments are set forth in Items 140, 141, 150, 160 and 180, respectively.</p> <p>3. A freight bill shall be issued by the carrier to the debtor for each shipment transported. Except with respect to intercarrier transactions, only one freight bill shall be issued for each shipment transported, and the carrier shall not apportion, prorate, or otherwise divide the freight charges between or among the consignor(s), consignee(s), or any other parties. The freight bill shall show the following information:</p> <ul style="list-style-type: none"> (a) Name of carrier. (b) Date of freight bill. (c) Date of shipment. (d) Name of debtor, name of consignor and name of consignee. (e) Point (or points) of origin and point (or points) of destination. (f) Description of shipment. (g) Weight of the shipment. (h) Rate and charge assessed. (i) Accessorial charges for delays to equipment and/or for stopping in transit, if any. (j) Such other information as may be necessary to accurately determine the applicable minimum rate and charge. <p style="text-align: center;">(Continued in Item 251)</p>	<p style="text-align: center;">250</p>
<p>§ Change) o Reduction) Decision No. 85235</p>	
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction