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Decision No. 85419

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation
for the purpose of considering and
determining minimum rates for
transportation of general commodities
in the Counties of Contra Costa, Lake,
Marin, Mendocino, Monterey, Napa, San
Benito, San Mateo, Santa Clara, Santa
Cruz, Solano and Sonoma, and in the
County of Alameda and in the City and
County of San Francisco as provided in
Minimum Rate Tariffs 1-B and 19, re-
spectively, and the revisions or
reissues thereof.

Case No. 5441
Order Setting Hearing 332
(Filed February 19, 1975)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 85416, entered today in Case No. 5432 (Pet. 795) et al., found that the general definitions for the terms "point", "place", and "site" contained in Item 110, Sections 3(a), (b), and (c) of the National Motor Freight Classification should not govern the application of Minimum Rate Tariffs 1-B, 2, 6-B, 9-B, and 19. The decision also provided that Minimum Rate Tariffs 1-B and 19 should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 1-B (Appendix B of Decision No. 65834, as amended) is further amended by incorporating therein, to become effective March 6, 1976, Twentieth Revised Page 18-A attached hereto and by this reference made a part hereof.

2. Minimum Rate Tariff 19 (Appendix A of Decision No. 41363, as amended) is further amended by incorporating therein, to become effective March 6, 1976, Forty-eighth Revised Page 16 attached hereto and by this reference made a part hereof.

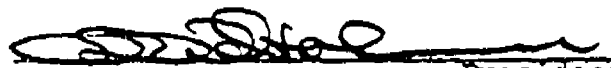
3. Tariff publications authorized to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days'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

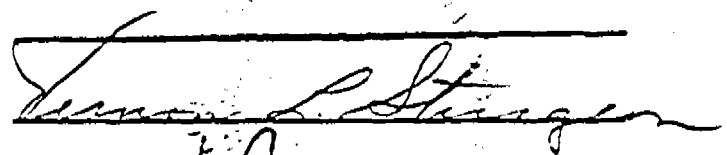
4. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding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

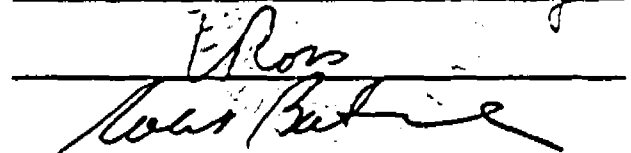
5. In all other respects Decisions Nos. 65834 and 41363, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 3rd day of FEBRUARY, 1976.


President




Commissioners

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

MINIMUM RATE TARIFF 1-B

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination and include tailgate loading into and tailgate unloading from the carrier's equipment. (See Item 110)</p>	90
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>1. This tariff is governed to the extent shown herein by:</p> <p>ø(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(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(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, 108145, 108147, 108150, 108152, 108154, 108155, 108156, 108157, 108158, 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, Sections 2-B, 2-C and 2-D only.</p> <p>(c) The Dangerous Articles Tariff (California Regulations).</p> <p>2. Where the ratings and rules or other provisions or conditions provided in the Governing Classification or Exceptions Ratings Tariff 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 provisions set forth in this tariff or the otherwise governing publications referred to in paragraphs 1(a) and (b) hereof, the provisions of the Dangerous Articles Tariff will apply.</p>	ø100
<p>ø Change) ** Eliminated) Decision No. 85419</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

MINIMUM RATE TARIFF 19

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination and include tailgate loading into and tailgate unloading from the carrier's equipment with services of the driver only.</p>	60
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>1. This tariff is governed to the extent shown herein by:</p> <p>ø(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(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, 108145, 108147, 108150, 108152, 108154, 108155, 108156, 108157, 108158, 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, Sections 2-B, 2-C and 2-D only.</p> <p>(c) The Dangerous Articles Tariff (California Regulations).</p> <p>2. Where the ratings and rules or other provisions or conditions provided in the Governing Classification or Exception Ratings Tariff 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) or (b) hereof, the provisions of the Dangerous Articles Tariff will apply.</p>	ø70
<p>ø Change) ** Eliminated) Decision No.</p> <p style="text-align: center; font-size: 1.5em;">85419</p>	
EFFECTIVE	
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Correction