

Decision No. 85704

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 livestock and related items statewide as provided in Minimum Rate Tariff 3-A and the revisions or reissues thereof.

Case No. 5433  
Petition for Modification  
No. 61  
(Filed January 7, 1976)

INTERIM OPINION

Minimum rates for the transportation of livestock by highway carriers are provided in Minimum Rate Tariff 3-A (MRT 3-A). The California Trucking Association seeks a cost offset increase in the minimum livestock rates amounting to approximately 4 percent.<sup>1/</sup>

The rates and charges named in MRT 3-A were last revised and adjusted generally on December 22, 1974 pursuant to Decision No. 83772 dated November 26, 1974 in Case No. 5433 (Pet. 56). Charges resulting from those rates are subject to a 6 percent surcharge.<sup>2/</sup> Petitioner has reviewed the current conditions involved in livestock transportation to permit a comparison with those like factors underlying the existing minimum livestock rates. The review indicates that the livestock carriers have continued to experience cost increases in virtually every category of operating expense.

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1/ The proposed rates are set forth in Exhibit A attached to the petition.

2/ The rates proposed by CTA include the 6 percent surcharge named in Supplement 8 of MRT 3-A.

A verified statement prepared by a cost supervisor for petitioner is attached to Petition 61 as Exhibit B and sets forth the factual data and other pertinent information upon which petitioner relied in formulating its rate proposal. The record shows that on January 1, 1975 and again on January 1, 1976 the wage base for computing taxes payable under the Federal Insurance Contribution Act was increased. Effective January 1, 1976 both the rate and taxable wage base for California unemployment insurance was adjusted upward. Basic levels of workers' compensation insurance were increased on October 1, 1975. The most significant impact upon the livestock carriers' costs of operations results from increased labor costs, which petitioner states will amount to approximately 8 percent as of January 1, 1976, exclusive of so-called fringe benefits and the aforementioned payroll expenses.

The cost supervisor states that petitioner's proposal reflects consideration of major legislative action (Assembly Bill 1352) which, effective January 1, 1976, increased the maximum gross vehicle weights permitted on California highways. This statutory change assertedly enabled petitioner to minimize the sought increase in MRT 3-A livestock rates. In recognition of opportunities for improving livestock carrier productivity pursuant to recent changes in gross vehicle weight laws, petitioner proposes the establishment of reduced livestock volume tender rates. The resulting savings to certain shippers will assertedly more than offset the proposed rate increase. Petitioner also suggests the adoption of a tariff provision which will allow a livestock shipment consisting of multiple pickups and deliveries to be rated as a single through shipment when transported in a single unit of carriers' equipment. This tariff provision will enable shippers to realize significant savings in their freight charges, thereby sharing in the economies inherent in maximized equipment utilization.

Petitioner's rate proposal evolved from joint conferences with various interested shipper and carrier representatives. The declared purpose of such conferences is the establishment and maintenance of the lowest reasonable level of minimum rates consistent with the need to provide adequate for-hire service within the livestock industry.

The Commission's Transportation Division staff has reviewed petitioner's rate proposal and recommends the sought adjustment be granted by ex parte order. The staff further advises that the sought increase will amount to approximately 3.3 percent and generate some \$496,000 in additional cost offset revenues.

Petitioner requests that the proposed rates be made effective March 1, 1976 in order to permit advance planning by shippers and an orderly marketing of livestock at the time of the spring movement.

By letter dated January 22, 1976 the California Farm Bureau Federation advises that adoption of petitioner's rate proposal will be in the best interest of both shippers and carriers of livestock. It urges the Commission to favorably consider the proposed revision of MRT 3-A rates by ex parte order.

Copies of Petition 61 were mailed to various livestock shipper organizations on or about January 6, 1976. The petition was also listed on the Commission's Daily Calendar for January 15, 1976. No objection to the granting of the petition by ex parte order has been received.

MRT 3-A Required

The minimum rates named in MRT 3-A govern the intrastate transportation of livestock by highway carriers. Under the provisions of Section 3511 of the Public Utilities Code a livestock highway carrier does not include:

- "(a) Any farmer resident of this state who occasionally transports from the place of production to a warehouse, regular market, place of storage, or place of shipment the farm products of neighboring farmers in exchange for like services or for a cash consideration or farm products for compensation.
- "(b) Persons or corporations hauling their own property.
- "(c) Any farmer operating a motor vehicle used exclusively in the transportation of his livestock...
- "(d) Any nonprofit agricultural cooperative association...engaged in transporting its own property or the property of its members."

The interstate movement of livestock by highway carriers is exempt from the rate regulatory provisions of the Interstate Commerce Act. The volume of interstate livestock exempt traffic no doubt exceeds like California intrastate livestock traffic currently subject to the minimum rate provisions named in MRT 3-A. In view of the volume of exempt livestock traffic now moving in both intrastate and interstate commerce from, to, or within points in California, question arises as to whether the existing minimum livestock rate provisions named in MRT 3-A serve any meaningful economic purpose. Accordingly, all interested parties should again review and develop evidence for presentation at future hearings concerning the economic desirability and/or necessity for the continuance of MRT 3-A minimum rate regulation.

Findings

1. The minimum livestock rates named in MRT 3-A were last revised and adjusted generally on December 22, 1974 pursuant to Decision No. 83772 dated November 26, 1974.

2. Since the minimum livestock rates were last reviewed and generally adjusted, livestock carriers governed by the provisions of MRT 3-A have incurred further increases in their labor costs and allied payroll expenses and taxes.

3. Petitioner's sought cost offset rate increase amounts to approximately 3.3 percent and will generate some \$496,000 in additional revenues for livestock haulers governed by MRT 3-A.

4. Petitioner's proposed reduced livestock volume tender rates and suggested tariff provision for multiple lot service shipments constitute an effort to give immediate recognition to the actual and potential savings flowing from the January 1, 1976 revisions in the law governing the maximum gross vehicle weight permitted on California highways.

5. The increases resulting under petitioner's rate proposal have been shown to be justified and the resulting rates are and for the future will be the just, reasonable, and nondiscriminatory minimum rates for the highway transportation of livestock governed by the provisions of MRT 3-A.

6. A public hearing is not necessary.

#### Conclusions

1. Petition 61 should be granted and Minimum Rate Tariff 3-A amended accordingly.

2. Deletion of references to vessel common carriers in MRT 3-A should also be accomplished at this time pursuant to Decision No. 84911 dated September 16, 1975 in Case No. 5432 (Pet. 772) et al.

3. The effective date of this order should be the date on which it is signed because there is no known opposition and there is a compelling need for advance planning in the marketing and distribution of the 1976 spring movement of livestock.

#### INTERIM ORDER

IT IS ORDERED that:

1. Minimum Rate Tariff 3-A (Appendix A of Decision No. 55587, as amended) is hereby further amended by incorporating therein, to

become effective May 1, 1976, the supplement and revised pages contained in Appendix 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 also to Decision No. 55587, as amended, are hereby directed to establish in their tariffs the increase necessary to conform with the further adjustments ordered herein.

3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 3-A are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 3-A rates.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 3-A rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 3-A are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 3-A rates.

5. 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 3-A are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 3-A rates.

6. Tariff publications required 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 on not less than five days' notice to the Commission and to the public and such tariff publications shall be made effective not later than May 1, 1976; and the tariff publications which are authorized but not required to be made by common carriers as a result of this order 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 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.

8. In all other respects Decision No. 55587, as amended, shall remain in full force and effect.

9. Public hearings will be scheduled for the receipt of additional evidence relative to the final disposition of Petition 61.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 20th  
day of APRIL, 1976.

William L. Lingen President  
L. L. Lingen  
T. Ross  
Robert B. Lingen Commissioners

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

LIST OF SUPPLEMENT AND  
REVISED PAGES TO MINIMUM RATE TARIFF 3-A

SUPPLEMENT 10

FIFTH	REVISED	PAGE 2
NINTH	REVISED	PAGE 3
FIFTH	REVISED	PAGE 4
FOURTH	REVISED	PAGE 6
ELEVENTH	REVISED	PAGE 7
ELEVENTH	REVISED	PAGE 9
EIGHTH	REVISED	PAGE 9-A
SEVENTH	REVISED	PAGE 10
EIGHTH	REVISED	PAGE 11
FOURTH	REVISED	PAGE 17-A
SIXTEENTH	REVISED	PAGE 18
FOURTH	REVISED	PAGE 18-B
FOURTEENTH	REVISED	PAGE 19
THIRD	REVISED	PAGE 19-B
FIRST	REVISED	PAGE 19-C
SIXTH	REVISED	PAGE 21

(END OF APPENDIX A LIST)



SUPPLEMENT 10  
(Cancels Supplement 8)  
(Supplements 9 and 10 Contain All Changes)

TO  
MINIMUM RATE TARIFF 3-A  
NAMING  
MINIMUM RATES AND RULES  
FOR THE  
TRANSPORTATION OF LIVESTOCK OVER THE  
PUBLIC HIGHWAYS WITHIN THE  
STATE OF CALIFORNIA  
BY  
RADIAL HIGHWAY COMMON CARRIERS  
HIGHWAY CONTRACT CARRIERS  
AND  
LIVESTOCK CARRIERS

Decision No. **85704**

EFFECTIVE

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
San Francisco, California 94102

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§ Change        )  
 \* Addition     ) Decision No.

85704

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Correction

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

SECTION 1--RULES	ITEM
<p align="center"><b>DEFINITION OF TECHNICAL TERMS</b> (Items 10 and 11)</p> <p><b>CALVES</b> means bovine animals weighing 450 pounds or less.</p> <p><b>CATTLE</b> means bovine animals weighing more than 450 pounds.</p> <p><b>CARRIER</b> means a radial highway common carrier, a highway contract carrier or a livestock carrier as defined in the Highway Carriers' Act.</p> <p><b>CARRIER'S EQUIPMENT</b> means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles, operated by the carrier.</p> <p><b>COMMON CARRIER RATE</b> 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><b>DAIRY CATTLE</b> means cattle which are or have been used or useful in connection with the production of milk by dairies.</p> <p><b>DEBTOR</b> means the person obligated to pay freight charges to the carrier, whether consignor, consignee or other party.</p> <p><b>DISTANCE TABLE</b> means Distance Table 7.</p> <p><b>FEED LOT</b> means a place, establishment or facility consisting of pens or other enclosures and their appurtenances, in which live cattle, calves, sheep, swine or goats are received, held or kept for fattening, for compensation as a business, for the public generally, or owned and operated by packing or slaughter houses.</p> <p><b>INDEPENDENT-CONTRACTOR SUBHAULER</b> 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 the result of the work only and not as to the means by which such result is accomplished.</p> <p><b>"LIVESTOCK SERVICE SHIPMENT</b> means a quantity of livestock transported in one unit of carrier's equipment, in one continuous movement not exceeding 48 hours in duration, consisting of one or more component parts delivered to, and/or received from, one or more consignee(s) or consignor(s) at one or more point(s) of origin and/or destination. All shipping instructions and freight charges must be assumed by a single party when there is more than one consignee or consignor, and any oral shipping instructions must be confirmed in writing not later than 48 hours after tender of the shipment. Applies only to truckload shipments subject to a minimum weight of 30,000 pounds or more.</p> <p><b>PACKING HOUSE</b> means a place of business licensed to buy livestock for the purpose of slaughter, at which meat or meat food products are manufactured or prepared.</p> <p><b>PASTURE MOVEMENT</b> means a shipment, or component part thereof, originating at or destined to points other than points located at or within a radius of 2 actual miles of a stockyard, public sales yard, feed lot, packing house or slaughter house.</p> <p><b>POINT OF DESTINATION</b> means the precise location at which livestock is tendered for physical delivery into the custody of the consignee or his agent. All points within a feed lot, packing house, public sales yard, slaughter house, stockyard or corral ranch site of one consignee shall be considered as one point of destination and shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p><b>POINT OF ORIGIN</b> means the precise location at which livestock is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a feed lot, packing house, public sales yard, slaughter house, stockyard or corral ranch site of one consignor shall be considered as one point of origin and shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p><b>PUBLIC SALES YARD</b> means a stockyard.</p> <p align="right">(Continued in Item 11)</p>	<p align="center">ø10</p>
<p>ø Change ) * Addition ) Decision No. <b>85704</b></p>	
EFFECTIVE	
<p align="center">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION NO. 1--RULES	ITEM
<p>DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p>PUBLIC WEIGHMASTER'S CERTIFICATE means a statement issued and signed or initialed by a weighmaster or deputy weighmaster licensed by the State of California, any subdivision thereof, or the federal government to perform public weighing. The statement shall set forth the kind of livestock, the date weighed, the license number or equipment number of the vehicle or vehicles in which the livestock was transported, and the weight of the livestock (or the gross weight of the livestock and the vehicle or vehicles and the unladen weight of the vehicle or vehicles). If the gross weight of the vehicle or vehicles and the livestock is shown on one statement and the unladen weight of the vehicle or vehicles is shown on another, the separate statements will constitute a public weighmaster's certificate.</p> <p>øRAILHEAD means a point at which facilities are maintained for the loading of livestock into or upon, or the unloading of livestock from rail cars. **</p> <p>RATE includes charge and also the minimum weight, rules and regulations governing and the accessorial charges applying in connection therewith.</p> <p>SAME TRANSPORTATION means transportation of the same kind and quantity of livestock and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>øSHIPMENT means a quantity of livestock tendered by one shipper on one agreement for carriage at one point of origin at one time for one consignee at one point of destination. (See also definitions of * livestock service shipment, split delivery shipment and split pickup shipment.)</p> <p>SLAUGHTER HOUSE means a place of business licensed to slaughter livestock.</p> <p>SPLIT DELIVERY SHIPMENT means a shipment consisting of several component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, said shipment being shipped by one consignor at one point of origin, under one agreement for carriage and, except as provided in paragraph B of Item No. 251, all charges thereon must be prepaid, and shall be billed to and collected from only one debtor.</p> <p>SPLIT PICKUP SHIPMENT means a shipment consisting of several component parts received during one day and transported under one agreement for carriage from (a) one consignor at more than one point of origin, or (b) more than one consignor at one or more points of origin, the composite shipment being consigned and delivered to one consignee at one point of destination and, except as provided in paragraph B of Item No. 251, all charges thereon being paid by the consignee when there is more than one consignor.</p> <p>STOCKYARD means any place, establishment or facility consisting of pens or other enclosures and their appurtenances, licensed by the federal or state government or any subdivision thereof to receive, hold or keep for sale or shipment in commerce live cattle, calves, sheep, swine or goats.</p> <p>øTEAM TRACK means a point at which livestock may be loaded into, or upon, or unloaded from rail cars by the public generally. **</p>	ø11
<p>ø Change )            * Addition )            ** Eliminated )            ø Increase )</p> <p>Decision No. <b>85704</b></p>	
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SECTION 1--RULES (Continued)			ITEM
ACCESSORIAL CHARGES			
An additional charge shall be made for any accessorial or incidental service or delay which is not authorized to be performed under the rates named in this tariff and for which a charge is not otherwise provided, as follows:			
	CHARGES IN CENTS		
	For First 30 Minutes or Fraction	For Each Additional 15 Minutes or Fraction	0110
(a)	For driver, helper, or other employee, per man---	0700	0350
(b)	For unit of equipment (each motor truck, trailer or semitrailer, exclusive of motor tractors) ----	70	35
ACCESSORIAL CHARGES NOT TO BE OFFSET BY TRANSPORTATION CHARGES			
Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected when such services are performed regardless of the level of the transportation rate assessed. Such accessorial charges may not be waived on the basis that a higher-than-minimum transportation rate serves as an offset.			115
SHEEP CAMP OUTFITS			
Rates named in this tariff for the transportation of sheep will also apply to sheep camp outfits, as described in Note 1, when said outfits accompany shipments of sheep. (See Exception)			
NOTE 1.--Sheep camp outfits include wagons, dogs, horses, mules, burros, camp equipment comprising tents, stoves, cooking utensils, cots, bedding, harness and other appurtenances in use at camp, but do not include hay, grain, feed, merchandise, groceries, clothing or trailer coaches for which rates are provided in Minimum Rate Tariff 18.			120
EXCEPTION.--The provisions of this item will not apply in connection with shipments transported at any-quantity rates.			
REQUIREMENTS FOR PUBLIC WEIGHMASTER'S CERTIFICATE			
1. Shipments of livestock for which the carrier must obtain a public weighmaster's certificate:			
(a) For each shipment, other than those described in paragraph 2 hereof, the actual weight of the livestock shall be confirmed by a public weighmaster's certificate, which shall be obtained by the carrier prior to or at the time of unloading.			
(b) Every carrier who fails to obtain a public weighmaster's certificate on shipments consisting of more than 10 head of livestock shall make a notation on the freight bill stating the reasons for the carrier's failure to obtain the required certificate.			
2. Shipments of livestock for which the carrier may, but is not required to, obtain a public weighmaster's certificate:			130
(a) Shipments consisting of not more than 10 head of livestock.			
(b) When the weighing of a shipment on a public weighmaster's scales would require the carrier to traverse a route which is more than five constructive miles longer than the shortest distance between points of origin and destination as determined in accordance with the provisions of Item 80.			
(c) When no public weighmaster's scale or scales along the route of movement is open for weighing at the time the carrier arrives at the scale point or points.			
ø Change o Increase	) )	Decision No.	85704
EFFECTIVE			
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.			
Correction			

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">SPLIT PICKUP</p> <p>§ 1. The charge for a split pickup shipment, as defined in Item No. 11, shall be the charge applicable for transportation of a single shipment of the same kind and quantity of livestock for the distance to point of destination from that point of origin which produces the shortest distance via the other point or points of origin (See Exception), plus an added charge of \$7.30 per component part.</p> <p>EXCEPTION.--In the event that a shipment has origin and destination points within and without a mileage territory, and any of such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:</p> <p>(a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.</p> <p>(b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.</p> <p>2. At the time of or prior to the first pickup, the carrier shall be furnished with shipping instructions, either manifest, written or oral, containing the name of each consignor, the points of origin and the kind and quantity of livestock in each component part. Oral shipping instructions must be confirmed in writing not later than 48 hours after tender of shipment.</p> <p style="text-align: center;">**</p> <p>4. If split delivery is performed on a split pickup shipment or a component part thereof, or if shipping instructions do not conform with the requirements of paragraph 2 hereof, each component part of the split pickup shipment shall be rated as a separate shipment under other provisions of this tariff.</p>	§170
<p>           § Change           )            ° Increase        )            ** Eliminated    )         </p> <p style="margin-left: 150px;">Decision No.        <b>85704</b></p>	
EFFECTIVE	
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">SPLIT DELIVERY</p> <p>1. The charge for a split delivery shipment, as defined in Item 11, shall be the charge applicable to the transportation of a single shipment of the same kind and quantity of livestock for the distance from point of origin to that point of destination which produces the shortest distance, via the other point or points of destination (See Exception), plus an added charge of \$7.30 per component part.</p> <p>EXCEPTION.--In the event that a shipment has origin and destination points within and without a mileage territory, and any of such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:</p> <p>(a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.</p> <p>(b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.</p> <p>2. At time of tender of shipment, carrier shall issue a single agreement for carriage for the composite shipment, and be furnished with delivery instructions, either manifest, written or oral, containing the name of each consignee, the points of destination and the kind and quantity of livestock in each component part. Oral delivery instructions must be confirmed in writing not later than 48 hours after tender of shipment.</p> <p style="text-align: center;">**</p> <p>4. If split pickup is performed on a split delivery shipment or a component part thereof, or if shipping instructions do not conform with the requirements of paragraph 2 hereof, each component part of the split delivery shipment shall be rated as a separate shipment under other provisions of this tariff.</p>	<p style="text-align: right;">\$180</p>
<p style="text-align: center;">(E) LIVESTOCK SERVICE SHIPMENT</p> <p>The rate for the transportation of a livestock service shipment shall be determined and applied as follows:</p> <p>(1) Distance rates shall be determined by the distance from that point of origin to that point of destination which produces the shortest distance via all points of origin and/or destination (See Exception).</p> <p>(2) In addition to the rate for transportation, an additional charge of \$7.30 shall be assessed for each component part; except that such additional charge shall not apply on any shipment involving only a single pickup and a single delivery.</p> <p>(3) For each livestock service shipment an agreement of carriage shall be issued; and the carrier shall be furnished with instructions showing the name of each consignee or consignor, the point(s) of origin and/or destination and the description of the kind and number of head of livestock in each component part of such shipment.</p> <p>EXCEPTION.--In the event that a shipment has origin and destination points within and without a mileage territory, and any of such points are located within a metropolitan zone, the shortest distance shall be computed subject to the following provisions:</p> <p>(a) Between a point within a metropolitan zone and a point not within the same metropolitan zone group but within the Related Mileage Territory, use for constructive mileage determination for the point within the metropolitan zone, the mileage basing points for the applicable metropolitan zone groups.</p> <p>(b) Between two or more metropolitan zones within the same metropolitan zone group, use for constructive mileage determination the mileage basing points for the individual metropolitan zones.</p>	<p style="text-align: right;">(E) \$6 185</p>
<p>(E) Expires with March 1, 1977.</p> <p>\$ Change )</p> <p>o Increase )</p> <p>o Reduction ) Decision No.</p> <p>* Addition )</p> <p>** Eliminated )</p>	<p style="text-align: right;">85704</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 (Continued)	ITEM
<p style="text-align: center;"><b>MIXED SHIPMENTS</b></p> <p>Rates on mixed shipments of livestock shall be assessed in accordance with the following:</p> <p>1. When two or more types of livestock, for which different rates are named in this tariff, are shipped as a mixed shipment, separate weights will be obtained (See Items 130, 140 and 150) and charges shall be computed at the separate rates applicable to each type of livestock in straight shipments at the combined weight of the mixed shipment. The minimum weight shall be the highest provided for any of the rates used in computing the charges, subject to Item 160. In the event a lower charge results by considering such types of livestock as if they were divided into two or more separate shipments such lower charge shall apply. (See Note 1)</p> <p>NOTE 1.--If the actual weight of a mixed shipment has been confirmed by a public weighmaster's certificate for the entire mixed shipment only and not separately for each type of livestock contained therein, charges shall be based on the provided weight for each type of livestock included in the mixed shipment as follows:</p> <p>(a) When the total provided weight exceeds the total confirmed actual weight, the deficiency between the provided and the actual weights shall be computed at the lowest rate for any type of livestock included in the mixed shipment and the amount so determined shall be deducted from the charges resulting under the total provided weight of the shipment.</p> <p>(b) When the total provided weight is less than the total confirmed actual weight, the deficiency between the actual and the provided weights shall be computed at the lowest rate for any type of livestock included in the mixed shipment and the amount so determined shall be added to the charges resulting under the total provided weight of the shipment.</p> <p>2. When livestock for which rates are named in this tariff are included in a mixed shipment containing other livestock or commodities, the livestock subject to rates named in this tariff will be rated as a separate shipment.</p> <p>3. Dairy cattle included in mixed shipments with other kinds of livestock transported within or between the zones described in Items 310 and 311 shall be subject to the rates in cents per 100 pounds named in this tariff for cattle in straight shipments.</p>	190
<p style="text-align: center;"><b>STOPPING IN TRANSIT</b></p> <p>Except as otherwise provided in this rule, when a shipment or portion thereof is unloaded in transit for the purpose of weighing, sorting, feeding or for any other reason, the following additional charges shall be assessed: (See Note 1)</p> <p>\$10.15 per stop for equipment with one loaded deck, \$13.85 per stop for equipment with more than one loaded deck. When the stop exceeds one and one-half (1½) hours duration, additional charges as provided in Item 110 shall be assessed.</p> <p>NOTE 1.--No charge shall be made in connection with a stop-in-transit where the cause is attributable to the carrier nor shall any charge under this item be made for time when carrier's equipment is inactivated because of mechanical failure or when driver is off duty.</p>	0200
<p>◊ Increase      ) Decision No.      <b>85704</b></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 (Continued)	ITEM
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>◊ Rates of common carriers * by land 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 from the same point of origin to the same point of destination than results from the application of the rates herein provided. (See Notes 1, 2 and 3)</p> <p>NOTE 1.--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.</p> <p>NOTE 2.--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.</p> <p>NOTE 3.--When a common carrier rate, which does not include the service of loading and/or unloading is applied under the provisions of this item and when loading and/or unloading services are provided in connection with the transportation services performed, the following additional charges shall be assessed.</p> <p style="text-align: right;">Loading-----08 3/4 cents per 100 pounds Unloading-----08 3/4 cents per 100 pounds</p>	ø210
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES (Items 220 and 221)</p> <p>◊ When lower aggregate charges result, rates provided in this tariff may be used in combination with rates of common carriers * by land for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead and point of destination is located at railhead, add to the common carrier rate applying from any (1) team track or (2) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, to point of destination, the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from point of origin to such team track or private railhead from which the common carrier rate used applies. (See Notes 1, 2 and 3)</p> <p>(b) When point of origin is located at railhead and point of destination is located beyond railhead, add to the common carrier rate applying from point of origin to any (1) team track or (2) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from such team track or private railhead to which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3)</p> <p style="text-align: center;">(Continued in Item 221)</p>	ø220
<p>ø Change ) ø Increase ) Decision No. <span style="font-size: 1.5em; margin-left: 100px;">85704</span> * Addition )</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

SECTION 2--DISTANCE COMMODITY RATES (Continued) (In Cents per 100 Pounds)							ITEM
CATTLE, viz.: Bulls, Calves, Cattle, Cows, Dairy Cattle, Heifers, Oxen and Steers.							
HOGS, viz.: Barrows, Boars, Butcher Hogs, Feeder Pigs, Gilts, Hogs, Pigs, Sows, Stags and Swine.							
MILES		RATES					
		Minimum Weight in Pounds					
Over	But Not Over	Any Quantity	10,000	30,000 (See Note 1 Item 275)	(3) 40,000 (See Note 2 Item 275)	(1) (2) (3) 44,000 (See Note 3 Item 275)	
0	3	28	17	15	11	10	
3	5	29	18	16	13	11	
5	10	31	22	18	15	12	
10	15	35	23	20	16	13	
15	20	39	25	22	17	14	
20	25	44	26	23	18	16	
25	30	47	28	24	20	17	
30	35	51	31	25	22	18	
35	40	54	33	26	23	20	
40	45	58	35	27	24	23	
45	50	62	38	29	25	24	
50	60	66	44	31	27	25	
60	70	71	47	35	28	27	
70	80	76	52	38	31	28	
80	90	79	55	42	33	29	
90	100	83	59	44	35	31	
100	110	87	66	46	38	34	
110	120	90	70	48	42	35	
120	130	93	75	51	44	37	
130	140	97	79	53	46	38	0270
140	150	102	84	56	48	39	
150	160	105	89	59	50	43	
160	170	110	93	62	52	44	
170	180	114	99	66	54	46	
180	190	119	104	69	56	48	
190	200	124	108	72	59	51	
200	220	131	115	77	65	54	
220	240	139	124	83	69	58	
240	260	148	131	89	72	64	
260	280	155	142	95	77	66	
280	300	163	151	102	82	70	
300	325	179	159	108	87	76	
325	350	184	171	115	93	81	
350	375	192	182	122	99	87	
375	400	201	192	129	105	91	
(Continued in Items 272 and 275)							
◊ Increase ) Decision No.							
85704							
EFFECTIVE							
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.							
Correction							

SECTION 2--DISTANCE COMMODITY RATES (Continued) (In Cents per 100 Pounds)							ITEM
CATTLE, viz.: Bulls, Calves, Cattle, Cows, Dairy Cattle, Heifers, Oxen and Steers.							0272
HOGS, viz.: Barrows, Boars, Butcher Hogs, Feeder Pigs, Gilts, Hogs, Pigs, Sows, Stags and Swine.							
MILES		RATES					
		Minimum Weight in Pounds					
Over	But Not Over	Any Quantity	10,000	30,000 (See Note 1 Item 275)	40,000 (See Note 2 Item 275)	(1) (2) (3) 44,000 (See Note 3 Item 275)	
400	425	210	203	136	111	97	
425	450	219	213	145	117	103	
450	475	228	224	152	124	110	
475	500	237	233	158	130	115	
500	525	248	243	167	136	122	
525	550	257	252	175	144	127	
550	575	267	259	180	151	133	
575	600	275	268	188	156	137	
For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles		9	9	8	7	06	
<p>(1) Rates apply only:</p> <p>(a) To the transportation of cattle to packing houses or slaughter houses for slaughter, subject to the varying minimum weights per shipment as set forth in Note 3 of Item 275; and</p> <p>(b) When the actual weight of the shipment is confirmed by a public weighmaster's certificate.</p> <p>(2) Rates are not subject to the provisions of:</p> <p>(a) Item 130 (2), Shipments of livestock for which the carrier may, but is not required to, obtain a public weighmaster's certificate;</p> <p>(b) Item 140 (2), Determination of weights and charges;</p> <p>(c) Item 150, Provided weights per animal;</p> <p>(d) Item 190, Mixed shipments;</p> <p>and do not apply to the transportation of cattle in mixed shipments with other livestock.</p> <p>(3) Rates subject to minimum weights of 40,000 or 44,000 pounds are also subject to the provisions of Item 290 (Livestock Volume Incentive Rates) and Item 295 (Livestock Volume Tender Rates).</p> <p>(Continued in Item 275)</p>							
<p>◊ Increase, except as noted ) Decision No.</p> <p>o No Change )</p> <p style="text-align: right;">85704</p>							
EFFECTIVE							
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.							
Correction							

SECTION 2--DISTANCE COMMODITY RATES (Continued) (In Cents per 100 Pounds)						ITEM
SHEEP, viz.: Ewes, Goats, Kids, Lambs, Rams (Bucks), Sheep, Sheep Camp Outfits and Wethers.						
MILES		RATES				
		Minimum Weights in Pounds				
Over	But Not Over	Any Quantity	10,000	30,000 (See Note 1 Item 285)	(1) 40,000 (See Note 2 Item 285)	
0	3	28	23	20	18	
3	5	29	24	23	20	
5	10	31	26	25	24	
10	15	35	28	26	25	
15	20	38	31	27	26	
20	25	43	34	28	27	
25	30	46	36	29	28	
30	35	50	38	31	29	
35	40	53	42	33	30	
40	45	56	44	34	31	
45	50	59	46	35	33	
50	60	66	51	37	35	
60	70	70	55	42	37	
70	80	75	59	44	39	
80	90	79	66	47	43	0280
90	100	82	70	50	45	
100	110	84	75	53	47	
110	120	88	79	56	50	
120	130	91	84	60	52	
130	140	95	89	65	54	
140	150	99	93	66	58	
150	160	103	100	70	62	
160	170	109	107	74	66	
170	180	112	111	76	68	
180	190	117	115	79	70	
190	200	122	120	83	74	
200	220	129	127	89	78	
220	240	136	135	95	83	
240	260	146	144	103	84	
260	280	154	152	111	93	
280	300	159	157	114	100	
300	325	170	167	123	108	
325	350	178	176	130	113	
350	375	189	185	137	119	
375	400	197	195	147	126	
(Continued in Items 282 and 285)						
o Increase, Decision No.						
85704						
EFFECTIVE						
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.						
Correction						

SECTION 2--DISTANCE COMMODITY RATES (Continued) (In Cents per 100 Pounds)						ITEM
SHEEP, viz.: Ewes, Goats, Kids, Lambs, Rams (Bucks), Sheep, Sheep Camp Outfits and Wethers.						9282
MILES		RATES				
		Minimum Weights in Pounds				
		Any Quantity	10,000	30,000 (See Note 1 Item 285)	(1) 40,000 (See Note 2 Item 285)	
Over	But Not Over					
400	425	205	203	154	131	
425	450	215	213	161	137	
450	475	224	222	170	146	
475	500	234	232	177	152	
500	525	243	240	185	157	
525	550	253	250	193	165	
550	575	262	258	201	171	
575	600	270	267	210	177	
For distances over 600 miles add for each 25 miles or fraction thereof in excess of 600 miles		9	9	8	06	
(1) Rates subject to minimum weight of 40,000 pounds are also subject to the provisions of Item 290 (Livestock Volume Incentive Rates) and Item 295 (Livestock Volume Tender Rates).						
(Continued in Item 285)						
◊ Increase, except as noted ) ◊ No Change ) Decision No.						
85704						
EFFECTIVE						
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.						
Correction						

SECTION NO. 2--DISTANCE COMMODITY RATES (Continued) (In Cents per 100 Pounds)	ITEM
<p style="text-align: center;">LIVESTOCK VOLUME INCENTIVE RATES (Applies only when reference is made hereto)</p> <p>The charge for service under the provisions of this item shall be determined as follows:</p> <ol style="list-style-type: none"> <li>On Shipments Moving in a Single Unit of Carrier's Equipment: Multiply the applicable freight rate by the weight of the shipment and reduce the charge so determined by one percent (1%) for each 1,000 pounds that the weight exceeds the applicable truckload minimum weight, subject to a maximum reduction of three percent (3%).</li> <li>On Shipments Moving in More than One Unit of Carrier's Equipment: Multiply the applicable freight rate by the weight of the shipment and reduce the charge so determined by one percent (1%) for each 1,000 pounds that the average weight (determined by dividing total actual weight by the number of units of equipment used) per unit of equipment exceeds the applicable truckload minimum weight per unit of equipment, subject to a maximum reduction of three percent (3%).</li> </ol> <p>Rates provided by this item will not apply:</p> <ol style="list-style-type: none"> <li>On shipments which are subject to the provisions of *Item No. 185, Livestock Service Shipment; Item No. 190, Mixed Shipment; or</li> <li>Unless the shipper agrees in writing that the property transported under this item is released by the shipper at a valuation not exceeding fifty percent (50%) of actual value per pound per animal; or</li> <li>On straight shipments of hogs or calves, nor on mixed shipments including more than two-thirds hogs or calves by head count.</li> </ol> <p>Rates provided by this item do not alternate with other rates and charges in this tariff and may not be used in combination with any other rates.</p>	ø290
<div style="display: flex; justify-content: space-between;"> <div>             ø Change * Addition           </div> <div>             ) )           </div> <div>             Decision No.           </div> <div> <b>85704</b> </div> </div>	
EFFECTIVE	
<div style="display: flex; justify-content: space-between;"> <div>Correction</div> <div>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</div> </div>	

SECTION NO. 2--DISTANCE COMMODITY RATES (Concluded) (In Cents per 100 Pounds)	ITEM
<p style="text-align: center;">LIVESTOCK VOLUME TENDER RATES (Applies only when reference is made hereto)</p> <p>1. When carrier is tendered a shipment, or shipments are tendered at one time for which all charges are to be paid by a single consignor, from a single point of origin for point or points of destination within 100 constructive miles, and said shipment or shipments consist of more than one load transported in and offloaded from a single unit of carrier's equipment within a twenty-four hour period from the time of tender, the rate for transportation for the shipment or shipments, or that portion of the shipment or shipments, transported in and offloaded from the single unit of carrier's equipment within said period shall be determined as follows:</p> <p style="margin-left: 40px;">ø(a) When two loads are transported in a single unit of carrier's equipment, the applicable rate or rates determined under Item No. 270 or 280 shall be reduced by ø two cents per 100 pounds.</p> <p style="margin-left: 40px;">ø(b) When three or more loads are transported in a single unit of carrier's equipment, the applicable rate or rates determined under Item No. 270 or 280 shall be reduced by ø three cents per 100 pounds.</p> <p>ø2. Rates provided by this item shall not apply on shipments which are subject to the provisions of *Item No. 185 (Livestock Service Shipment) or Item No. 190 (Mixed Shipments).</p> <p>3. Rates provided by this item do not alternate with other rates and charges in this tariff and shall not be used in combination with any other rates.</p>	ø295
<p>ø Change        )          * Addition    ) Decision No.          ø Reduction   )</p> <p style="text-align: center; font-size: 1.5em;">85704</p>	
EFFECTIVE	
<div style="display: flex; justify-content: space-between;"> <span>Correction</span> <span>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</span> </div>	



SECTION 3--RATES (In Cents Per Head)										ITEM
Dairy Cattle, as described in Item 10.										0300
AND BETWEEN	ZONES (See Items 310 and 311 for territorial zone descriptions.)									
	ZONES									
	A	B	C	D	E	F	G	H	I	
A	140									
B	180	140								
C	330	250	140							
D	330	330	330	140						
E	250	250	250	180	140					
F	180	180	330	250	180	140				
G	250	330	500	330	330	250	140			
H	180	250	410	330	330	180	180	140		
I	180	250	410	410	330	250	250	180	140	
Rates are subject to a minimum charge of \$1.80 per shipment. Not subject to the provisions of Items 130, 140 and 150.										
♦ Increase, Decision No.  85704										
EFFECTIVE										
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.										
Correction										