

Decision No. 85920

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 rock, sand and
gravel in bulk, in dump truck
equipment in Northern California
as provided in Minimum Rate Tariff
20 and Northern California Production
Area and Delivery Zone Directory 2,
and the revisions and reissues
thereof.

Case No. 9820
Petition for Modification
No. 1
(Filed February 4, 1975)
Petition for Modification
No. 3
(Filed February 28, 1975)

OPINION AND ORDER

Minimum Rate Tariff 20 (MRT 20) names minimum rates for the transportation of rock, sand, and gravel and related commodities by highway carriers in dump truck equipment.

Decision No. 85918 issued today in the captioned proceedings and in Case No. 5437 (OSH 238) et al. found that the provisions of MRT 7-A, MRT 17-A, and MRT 20 should be revised to provide divisions of revenues between overlying and underlying carriers when trailers are furnished by the former, and that MRT 20 should be amended by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 20 (Appendix A to Decision No. 81799) is further amended by incorporating therein, to become effective July 10, 1976 the tariff pages included 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 also are subject to Decision No. 81799, as amended,

are directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.

3. 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 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 July 10, 1976.

4. Common carriers, in establishing and maintaining the rule 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 rule 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. 81799, 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 8th day of JUNE, 1976.

Idissent
Leonard Ross

Idissent
Robert B. Berman

William J. Sproule
President
Samuel L. Sturgen
Commissioners

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APPENDIX A

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

ARRANGEMENT OF TARIFF

This is a loose-leaf tariff consisting of seven sections.

SECTION 1 - Rules

SECTION 2 - Zone Rates for the Transportation of Rock, Sand and Gravel from
Alameda County Production Areas to Delivery Zones

SECTION 3 - Zone Rates for the Transportation of Rock, Sand and Gravel from
Contra Costa County Production Areas to Delivery Zones

SECTION 4 - Zone Rates for the Transportation of Rock, Sand and Gravel from
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SECTION 6 - Zone Rates for the Transportation of Rock, Sand and Gravel from
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SECTION 7 - Form of Shipping Document

No change on this page, Decision No.

85920

EFFECTIVE

Correction

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

SECTION 1--RULES	ITEM
<p data-bbox="558 362 926 384">DEFINITION OF TECHNICAL TERMS</p> <p data-bbox="277 408 1232 430">CARRIER means a dump truck carrier as defined in the Highway Carriers' Act.</p> <p data-bbox="277 454 1243 476">COMMISSION means the Public Utilities Commission of the State of California.</p> <p data-bbox="211 500 1248 563">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 data-bbox="211 587 1260 631">CONSIGNEE means the person, firm or corporation to whom the property is to be physically delivered by the carrier.</p> <p data-bbox="211 655 1219 696">CONSIGNOR means the person, firm or corporation from whom the property was physically received by the carrier for transportation.</p> <p data-bbox="211 720 1235 786">DEBTOR means the person(s) and/or corporation(s) obligated to pay charges accruing under provisions of this tariff. It also includes an overlying carrier when he utilizes the services of an underlying carrier.</p> <p data-bbox="211 810 1158 853">DIRECTORY means Northern California Production Area and Delivery Zone Directory 2 issued by the Commission.</p> <p data-bbox="211 877 1260 1057">DUMP TRUCK EQUIPMENT means any motor vehicle (including component trailing equipment) as defined in the Highway Carriers' Act, which discharges its load by gravity either (a) in conjunction with mechanical or pneumatic (induction of air used to speed gravitation) means that are an integral part of the vehicle, or (b) by opening all or a portion of the bottom, sides or end, or (c) by combination of (a) and (b). It does not include a motor vehicle engaged in the transportation of concrete mechanically mixed in transit or equipment which is unloaded by air pressure in defiance of gravity.</p> <p data-bbox="211 1081 1207 1122">MULTIPLE LOT SHIPMENT means a shipment transported in accordance with the provisions of Item 520.</p> <p data-bbox="211 1146 1273 1231">OVERLYING CARRIER (principal carrier) means a carrier which contracts with a shipper to provide transportation service for the latter, but which carrier in turn employs another carrier, known as the underlying carrier (independent-contractor subhauler), to perform that service. (See Note)</p> <p data-bbox="335 1255 1248 1297">NOTE.--The term "Overlying Carrier" also includes an underlying carrier which employs another carrier to perform transportation service.</p> <p data-bbox="211 1321 1285 1406">POINT OF DESTINATION means the precise location at which a shipment is tendered for physical delivery into the custody of the consignee or his agent. It includes all locations within 300 feet of the point at which physical delivery of said shipment is initiated.</p> <p data-bbox="211 1430 1260 1559">POINT OF ORIGIN means the precise location at which a shipment is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single commercial producing plant shall be considered as one point of origin. A single commercial producing plant shall include only contiguous property which shall not be deemed separate if intersected by a public street or streets.</p> <p data-bbox="674 1583 806 1605">(Continued)</p>	20
No change on this page, Decision No. 85920	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA. Correction	

ITEM	SECTION 1--RULES (CONTINUED)
<p>20</p>	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded)</p> <p>RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars. ** It also includes truck loading facilities of plants or industries located at such rail ** loading or unloading point.</p> <p>RATE includes charge, and also the ratings, 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 property and subject to the same limitations, conditions and privileges, although not necessarily transported in an identical type of equipment.</p> <p>SHIPMENT means a quantity of freight tendered by one consignor on one shipping document at one point of origin for one consignee at one point of destination and transported at one time in one unit of equipment. *Shipment does not include the unit of equipment utilized to transport property for which rates are provided in this tariff, nor any trailer, semitrailer or dolly when moved empty in connection with transportation of such commodities. (See also exceptions in rule and definition for multiple lot shipment.)</p> <p>SHIPPER means the person, firm or corporation (other than a carrier) who arranges with the carrier for the transportation of the property.</p> <p>TEAM TRACK means a point at which property may be loaded into or upon, or unloaded from rail cars by the public generally. **</p> <p>TON means 2,000 pounds.</p> <p>TRACTOR means a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.</p> <p>UNDERLYING CARRIER (independent-contractor subhauler) means any carrier who renders service for an overlying carrier (principal carrier) for a specified recompense, for a specified result, under the control of the overlying carrier as to the result of the work only and not as to the means by which such result is accomplished.</p> <p>UNIT OF EQUIPMENT means a truck, a tractor, a trailer, a semitrailer, or any combination of the foregoing operated in a train.</p> <p>WEIGHT TICKET means the shipper's scale weight ticket supplied to the carrier by the consignor at the point of origin and completed by the consignee at the point of destination.</p>
	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="margin-top: 20px;"> <p>o Change)</p> <p>* Addition)</p> <p>o Increase)</p> <p>** Eliminated)</p> </div> <div style="margin-top: 20px;"> <p>Decision No. 85920</p> </div> </div>
	EFFECTIVE
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 1--RULES (CONTINUED)		ITEM
ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES		
When lower aggregate charges result, tonnage rates provided in this tariff may be used in combination with the published rates of common carriers by land filed with the Commission for the transportation of shipments of the same kind of property between the same points, subject to the following conditions:		
(a) When the point of origin is located beyond a railhead and the point of destination is located at a 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 tonnage rate provided in this tariff, applicable to the weight of entire shipment, from point of origin to any such team track or private railhead from which the common carrier rate used applies. (See Notes 1, 2 and 3)		
(b) When the point of origin is located at a railhead and the point of destination is located beyond a 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 in cents per ton shown in Note 1 of Item 320 for each mile or fraction thereof from any such team track or private railhead to which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3)		
(c) When both the point of origin and the point of destination are located beyond railhead, add to the common carrier rate applying between any railheads (A) the tonnage rate provided in this tariff, applicable to the weight of the entire shipment, 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, from which the common carrier rate used applies, and (B) the rate in cents per ton shown in Note 1 of Item 320 for each mile or fraction thereof, 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 which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3)		
NOTE 1.--If loading and unloading are not included in the rate of a common carrier which is applied or used to construct a rate for highway transportation, the following rates in cents per ton shall be added to the common carrier rate (See Notes 2 and 3):		
Service Provided	Column A B	
Loading	14	12
Unloading	18	9
Column A.--Applies when shipment is transported by truck and transfer combination equipment.		
Column B.--Applies when shipment is transported in equipment other than described under Column A.		
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, except that when no specific minimum weight is shown for a carload rate, it shall be not less than 30,000 pounds.		
NOTE 3.--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.		
No change on this page, Decision No.		85920
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		

ITEM	SECTION 1--RULES (CONTINUED)
240	<p style="text-align: center;">BOND REQUIREMENT</p> <p>No carrier subject to the provisions of this tariff shall engage any underlying carrier or lease any equipment as lessee unless and until it has on file with the Commission a bond in the form and amount specified in General Order No. 102-E.</p>
250	<p style="text-align: center;">CHARGE FOR TRACTOR AND DRIVER WITHOUT TRAILING EQUIPMENT</p> <p>Charges to be paid by a consignor, consignee or other person responsible for payment of freight charges (except an overlying carrier) to a carrier furnishing a tractor and driver without trailing equipment, but towing trailing equipment furnished by the debtor, consignee or consignor, shall be not less than 86 percent of the otherwise applicable charge. In assessing charges under the tonnage (zone) rates contained in Sections 2, 3, 4, 5 and 6 of this tariff, the carrier furnishing the tractor and driver, need not assess a charge for the amount of the unladen weight of the trailing equipment when under load, nor assess a charge for the empty return movement. (See Exception)</p> <p>EXCEPTION: The provisions of this item shall not apply when trailing equipment is furnished by any party other than the debtor, consignee or consignor, of the specific transportation charges involved. (See Item 460)</p>
260	<p style="text-align: center;">COLLECTION OF CHARGES</p> <p>(a) Except as otherwise provided in this item, transportation and accessorial charges shall be collected by the carriers prior to relinquishing possession of property entrusted to them for transportation; said charges shall be collected in cash or in the form of valid checks, drafts or money orders.</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 debtors for a period not to exceed the 15th day following the last day of the calendar month in which the transportation was performed.</p> <p>(c) Where the 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 5 days after the last calendar day of the month in which transportation was performed.</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>* Addition, Decision No.</p>	
<p style="text-align: center;">85920</p>	
<p style="text-align: center;">EFFECTIVE</p>	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

MINIMUM RATE TARIFF 20

SECTION 1--RULES (CONTINUED)	ITEM
<p style="text-align: center;">COMPUTATION OF CHARGES--RETURNED OR DIVERTED SHIPMENTS</p> <p>If a shipment which has been transported to a point of destination shown on the shipping document specified in Section 7 may not be delivered at said point of destination, and if, pursuant to instructions from the consignor, the carrier either returns the shipment to point of origin or transports the shipment to another point of destination, the following charges shall apply for the total transportation performed:</p> <p>(a) When the shipment is returned to point of origin the total charge shall be computed at one and one half times the outbound rate.</p> <p>(b) When a shipment diverted from its original point of destination the applicable charge shall be computed at the rate from point of origin to the original point of destination shown on the shipping document plus 8 cents per ton for each mile or fraction thereof traversed from the original point of destination to the point of destination where physical delivery of the shipment is accomplished, plus toll charges, if any.</p>	<p style="text-align: center;">340</p>
<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates in this tariff shall be the actual mileages traversed, including any detour to and from scales to obtain weight of shipment.</p>	<p style="text-align: center;">360</p>
<p style="text-align: center;">DISPOSITION OF FRACTIONS</p> <p>In computing a rate or charge based on percentage, the following will govern the disposition of fractions:</p> <p>Fractions of less $\frac{1}{2}$ or .50 of a cent omit.</p> <p>Fractions of $\frac{1}{2}$ or .50 of a cent or greater, increase to next whole figure.</p>	<p style="text-align: center;">*370</p>
<p>* Addition, Decision No. 85920</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>	

ITEM	SECTION 1--RULES (CONTINUED)																												
400	<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENT</p> <p>(a) A Combined Shipping Order and Freight Bill (or other document) shall be issued by the carrier to the shipper for each shipment received for transportation under zone rates. Such document may be issued in individual or manifest form and shall show the following information:</p> <table border="0"> <tr> <td>(1) Name of carrier.</td><td>(7) Address of debtor if other than consignor.</td></tr> <tr> <td>(2) Date of shipment.</td><td>(8) Name of consignee.</td></tr> <tr> <td>(3) Equipment number.</td><td>(9) Address of consignee.</td></tr> <tr> <td>(4) Name of consignor.</td><td>(10) Name of underlying carrier (if any).</td></tr> <tr> <td>(5) Address of consignor.</td><td>(11) Signature of driver.</td></tr> <tr> <td>(6) Name of debtor if other than consignor.</td><td>(12) Type of equipment (See Note 1).</td></tr> </table> <p>NOTE 1.--The document shall identify whether the power unit is a truck or tractor and shall specify number of axles. Additionally, trailing equipment shall be identified as "transfer type pull trailer," "semi-end dump trailer," "semi-bottom dump trailer," or other specific type. If no trailing equipment is provided, the document shall say "No trailing equipment."</p> <p>A Zone Rate Freight Bill shall show the following information:</p> <table border="0"> <tr> <td>(1) Point of origin.</td><td>(6) Weight or other unit of measurement upon which charges are based.</td></tr> <tr> <td>(2) Point of destination.</td><td>(7) Rate and charges assessed.</td></tr> <tr> <td>(3) Production area letter.</td><td>(8) Accessorial, helpers or other charges.</td></tr> <tr> <td>(4) Delivery zone number.</td><td></td></tr> <tr> <td>(5) Commodity description.</td><td></td></tr> </table> <p>(b) When accessorial charges are to be assessed under the provisions of Items 180 or 190 to any shipment, additional information shall be supplied as follows:</p> <table border="0"> <tr> <td>(1) Whether truck and transfer trailer combination.</td><td>(3) Rate to be assessed.</td></tr> <tr> <td>(2) Chargeable time.</td><td>(4) Charges to be assessed.</td></tr> <tr> <td></td><td>(5) Signature of consignee or his agent.</td></tr> </table> <p>(c) In the event that transportation is performed by an underlying carrier, a Combined Shipping Order and Freight Bill (or other document) shall be issued by such underlying carrier to the overlying carrier. Such document must contain all of the above information except the following:</p> <ol style="list-style-type: none"> Name of debtor if other than consignor. Address of debtor if other than consignor. Rate and charges assessed. <p>Two or more copies of the document shall be presented by the underlying carrier to the overlying carrier within seven calendar days of the date transportation is performed, except that they shall be presented no later than three days after the last calendar day of the month (See Note 2).</p> <p>The information not required to be shown by the underlying carrier must be completed on two copies of a Combined Shipping Order and Freight Bill (or other document) by the overlying carrier prior to submission to the debtor for collection.</p> <p>NOTE 2.--When United States mail service is used, the postmark shall be deemed to be the time of presentation of the document.</p> <p style="text-align: center;">(Continued)</p>	(1) Name of carrier.	(7) Address of debtor if other than consignor.	(2) Date of shipment.	(8) Name of consignee.	(3) Equipment number.	(9) Address of consignee.	(4) Name of consignor.	(10) Name of underlying carrier (if any).	(5) Address of consignor.	(11) Signature of driver.	(6) Name of debtor if other than consignor.	(12) Type of equipment (See Note 1).	(1) Point of origin.	(6) Weight or other unit of measurement upon which charges are based.	(2) Point of destination.	(7) Rate and charges assessed.	(3) Production area letter.	(8) Accessorial, helpers or other charges.	(4) Delivery zone number.		(5) Commodity description.		(1) Whether truck and transfer trailer combination.	(3) Rate to be assessed.	(2) Chargeable time.	(4) Charges to be assessed.		(5) Signature of consignee or his agent.
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SECTION 1--RULES (CONTINUED)	ITEM
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENT (Concluded)</p> <p>(e) A Weight Ticket may be substituted for the Combined Shipping Order and Freight Bill, provided that all the necessary information is supplied by the Weight Ticket or annotated thereon.</p> <p>(f) The documents issued shall be prepared in two or more copies. A copy of each shall be furnished to the shipper, and a copy of each shipping document, freight bill, accessorial service document, weighmaster's certificate, written instructions, written agreement, written request or any other written document which supports the rates and charges assessed and which the carrier is required to issue, receive or obtain by this tariff for any transportation or accessorial service shall be retained and preserved by the carrier, at a location within the State of California, subject to the Commission's inspection, for a period of not less than three years from the date of issue.</p> <p>(g) Abbreviations or code numbers, letters or other similar designations may be used to record information required to be shown on the document by paragraph (a) provided that all abbreviations or codes are clearly defined on the document or on a separate explanatory sheet. If the definitions are on a separate explanatory sheet, a copy thereof shall be furnished to all parties receiving copies of document on which said abbreviations and codes are used, and a copy shall be retained with the carrier's copy of the documents relating thereto in accordance with the provisions of paragraph (e). The term carrier as used herein includes both overlying and underlying carriers.</p> <p>(h) The form of shipping document in Section 7 will be suitable and proper. Other forms may be utilized provided that the requirements of this item are completely fulfilled.</p>	400
<p style="text-align: center;">METHOD OF DETERMINING WEIGHT OF SHIPMENT</p> <p>Actual weight of the shipment shall be used when furnished by the shipper or when obtained by the carrier at the shipper's direction and expense. In the event actual weights are not available an estimated weight of 2,800 pounds per cubic yard shall be used (See Exception).</p> <p>EXCEPTION.--When rail rates are used under the provisions of Items 200 and 220 of this tariff, actual, estimated or agreed weights shall be used to compute charges in accordance with the provisions of the governing rail tariff.</p>	420
<p style="text-align: center;">MINIMUM CHARGE</p> <p>The minimum charge per shipment shall be the charge for 22 tons at the applicable rate (See Note).</p> <p>NOTE.--The minimum weight must be transported in one unit of dump truck equipment at one time.</p>	440
<p>No change on this page, Decision No. 85920</p>	
EFFECTIVE	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

ITEM	SECTION 1--RULES (CONTINUED)
#460	<p style="text-align: center;">PAYMENTS TO UNDERLYING CARRIERS</p> <p>*Except as provided in Note 3, charges paid by any overlying carrier to an underlying carrier and collected by the latter carrier from the former for the service of said underlying carrier shall be not less than 95 percent of the charges applicable under the minimum rates prescribed in this tariff *and shall be in the same unit of measurement upon which charges are assessed to the debtor, less the gross revenue tax applicable and required to be paid by the overlying carrier. (See Notes 1, 2, and *3) The underlying carrier may extend credit to the overlying carrier for a period not to exceed twenty days following the last day of the calendar month in which the transportation was performed, and payment to the underlying carrier must be made within that time. Freight bills for transportation and accessorial charges shall be presented by the underlying carriers to overlying carriers within three days after the last calendar day of the month in which the transportation was performed.</p> <p>*Charges paid by an underlying carrier (a subhauler) to another underlying carrier (a sub-subhauler), and collected by the latter for services performed for the former, shall be not less than 95 percent of the charges received by the former from the overlying carrier (exclusive of allowances for liquidated amounts as may be due from debts of the subhauler to the overlying carrier).</p> <p>NOTE 1.--As used in this item the term gross revenue tax means the fees payable to the California Public Utilities Commission under the Transportation Rate Fund Act *and the Highway Carriers' Uniform Business License Tax Act.</p> <p>NOTE 2.--Nothing herein contained shall prevent an overlying carrier, in paying such charges, from deducting therefrom such liquidated amounts as may be due from the underlying carrier to the overlying carrier, providing such deductions have been authorized in writing by the underlying carrier. Any overlying carrier electing to employ this procedure shall itemize such amounts and maintain for the Commission's inspection all documents involved in the transaction. *The term "liquidated amounts" as used in this item, shall not include, when the underlying carrier provides a tractor and driver without trailing equipment, charges pertaining to the operation and maintenance of trailing equipment such as: tires, tubes, parts, repairs, maintenance, painting, and cleaning.</p> <p>*NOTE 3.--In the event the underlying carrier furnishes tractor and driver without trailing equipment, and the overlying carrier furnishes the trailing equipment, the charges paid to the underlying carrier shall be not less than 85 percent of the charge determined in accordance with the provisions of this tariff.</p>
500	<p style="text-align: center;">REFERENCES TO ITEMS, OTHER TARIFFS AND GENERAL ORDERS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs and general orders include references to such numbers with letter suffix, and references to other tariffs and general orders include references to amendments and successive issues of such other tariffs and general orders.</p>
	<p>ø Change) * Addition) Decision No. 85920</p>
	EFFECTIVE
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 1--RULES (CONTINUED)	ITEM
<p data-bbox="492 342 1070 371">REPAIRS OR REPLACEMENTS TO TRAILING EQUIPMENT</p> <p data-bbox="223 387 1362 508">When it becomes necessary for the carrier furnishing the tractor and driver without trailing equipment under provisions of Item 250, to repair or replace any part of the trailing equipment furnished by the debtor, consignee or consignor, the debtor, consignee or consignor shall be charged and the carrier shall collect for all parts and expenses, including communication, labor and tow truck service, incurred by the carrier.</p>	*510
<p data-bbox="289 564 792 608">* Addition, Decision No. 85920</p>	
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Correction	