

Decision No. 86309**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 fresh or green)
 fruits and vegetables and related)
 items statewide as provided in)
 Minimum Rate Tariff 8 and the)
 revisions or reissues thereof.)

Case No. 5438

SUPPLEMENTAL OPINION AND ORDER

Decision No. 86061 established General Order No. 139,
 effective September 1, 1976. Finding 9 of that decision provides:

"Each of the minimum rate tariffs, except MRTs 3-A
 and 4-B, should be amended to show that loss or
 damage claims must be filed and processed according
 to the provisions of General Order No. 139. For
 convenience, such tariff amendments should be made
 by separate orders."

Therefore, IT IS ORDERED that:

1. Minimum Rate Tariff 8-A (Appendix B to Decision No. 85826,
 as amended) is further amended by incorporating therein, to become
 effective September 1, 1976, First Revised Page 2, First Revised
 Page 13, and First Revised Page 14 attached hereto.

2. In all other respects Decision No. 85826, 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 24th day of AUGUST, 1976.

[Signature] President
William Agnew Jr.
Vernon L. Sturgeon
[Signature]
Robert Butman Commissioners

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Change)
 Addition) Decision No.

86309

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 align="center">ALTERNATIVE APPLICATION OF SPLIT PICKUP UNDER RATES CONSTRUCTED BY USE OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>Charges on split pickup shipments may be computed by use of combinations with common carrier rates as follows, if a lower aggregate charge than that accruing under the basis provided in Item 310 results:</p> <p>(1) Compute the charge applicable under the rates named in this tariff for the composite weight of a split pickup shipment from the point or points of origin of the several component parts (See Item 310) to any (a) team track, (b) established depot or (c) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service. (See Note)</p> <p>(2) Add to such charge the charge applicable under Items 70 and 80 for the weight of the composite shipment from any such team track, established depot or private railhead to point of destination.</p> <p>NOTE.--If the points of origin of all component parts are within the limits of an incorporated city within which the railhead is located, and no rate for transportation to the railhead from such points of origin is named in this tariff, the rates named in this tariff for transportation for distances of 3 miles or less shall apply to the composite weight of the shipment, or rates established by the Commission for transportation within that city, whichever are lower, shall apply to such railhead from such points of origin.</p>	90
<p align="center">ALTERNATIVE APPLICATION OF SPLIT DELIVERY UNDER RATES CONSTRUCTED BY USE OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>Charges on split delivery shipments may be computed by use of combinations with common carrier rates as follows, if a lower aggregate charge than that accruing under the basis provided in Item 300 results:</p> <p>(1) Compute the charge applicable under Items 70 and 80 for the composite weight of a split delivery shipment from point of origin to any (a) team track, (b) established depot or (c) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service.</p> <p>(2) Add to such charge the charges applicable under the rates named in this tariff for the composite weight of a split delivery shipment (See Item 300) from any such team track, established depot or private railhead to the point or points of destination of the several component parts. (See Note)</p> <p>NOTE.--If the points of destination of all component parts are within the limits of an incorporated city within which the railhead is located, and no rate for transportation from the railhead to such points of destination is named in this tariff, the rates named in this tariff for transportation for distances of 3 miles or less shall apply to the composite weight of the shipment, or rates established by the Commission for transportation within that city, whichever are lower, shall apply from such railhead to such points of destination.</p>	100
<p>No change on this page, Decision No. 86399</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 OF GENERAL APPLICATION (Continued)
110	<p data-bbox="479 338 1231 360">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p data-bbox="312 382 1392 475">In the event, under the provisions of Items 70 to 100, inclusive, a rate of a common carrier is used in constructing a rate for highway transportation, and such rate does not include accessorial services performed by the highway carrier, the following charges for such accessorial services shall be added:</p> <ol data-bbox="312 497 1392 652" style="list-style-type: none">(1) For loading carrier's equipment 54 cents per 100 pounds assessed on the weight on which transportation charges are computed (See Note);(2) For unloading carrier's equipment--charges provided in Item 150;(3) For C.O.D. services--charges provided in Item 260;(4) For other accessorial service--charges provided in Item 120;(5) Split pickup or split delivery shall not be accorded unless included in the common carrier rate (See Items 90 and 100 for exceptions). <p data-bbox="312 674 1426 718">NOTE.--The charges for loading and/or unloading shall apply in all circumstances except:</p> <p data-bbox="312 741 1409 785">(a) When rates provided in this tariff are applied in combination with common carrier rates under the provisions of:</p> <ol data-bbox="380 807 1460 940" style="list-style-type: none">(1) Paragraph (a) of Item 80, only the accessorial charges for unloading shall be assessed;(2) Paragraph (b) of Item 80, only the accessorial charges for loading shall be assessed; and(3) Paragraph (c) of Item 80, no charge for either loading and/or unloading shall be assessed. <p data-bbox="312 962 1426 1006">(b) When the shipment is loaded into and/or unloaded from the carrier's equipment by the consignor and/or consignee with power equipment as described in Item 10.</p> <p data-bbox="312 1028 1357 1094">(c) When the carrier's equipment is a trailer or semitrailer left for loading and/or unloading by the consignor and/or consignee without the presence of carrier's employees.</p> <p data-bbox="312 1117 1392 1205">(d) Provided that, on shipments described under subparagraphs (b) or (c) above, the Shipping Document and Freight Bill issued pursuant to Item 190 indicate that the shipment was loaded and/or unloaded under one of the circumstances described in subparagraphs (b) or (c) hereinabove.</p>
*115	<p data-bbox="640 1249 1084 1271">HANDLING OF LOSS OR DAMAGE CLAIMS</p> <p data-bbox="312 1294 1340 1338">Claims for loss or damage shall be governed by the provisions of General Order No. 139.</p>
	<p data-bbox="380 1393 691 1415">* Addition, Decision No.</p> <p data-bbox="811 1393 947 1448">86309</p>
	<p data-bbox="854 1891 982 1913">EFFECTIVE</p>
Correction	<p data-bbox="580 1957 1494 2001">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>