

ORIGINAL

Decision No. 87410 JUN 1 1977

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 cement and)
related products statewide as)
provided in Minimum Rate Tariff 10)
and the revisions or reissues)
thereof.)

Case No. 5440
Petition for Modification No. 101
(Filed October 6, 1976)
Order Setting Hearing 93
(Filed June 5, 1974)

Richard W. Smith, Attorney at Law, and H. W. Hughes,
for California Trucking Association, petitioner.
Michael V. Thomas and Ray S. Bruton, for Miles & Sons
Trucking Service; Allen L. Cole, for Max Binswanger
Trucking; Lawrence B. Holsman Jr., for Northern
Redwood Transport; Henry Fikse, Attorney at Law,
for Fikse Bros., Inc.; Frank R. Golzen, Attorney at
Law, for Universal Transport System; Les Calkins
for Les Calkins Trucking; Stanley A. Ziganti, for
CAP Transport, Inc.; Earl Hudson, for Hudson
Trucking; and Jose Tedesco, for T.T.T. Inc.;
respondents.

James M. Gallagher, for The Flintkote Co., Calaveras
Cement Division; Don G. Austin, for Monolith Portland
Cement; Jim S. McGahey and Christopher Cutler, for
Kaiser Cement; T. W. Anderson, for General Portland
Inc.; William T. Barklie, for California Portland
Cement Co.; William Mitze, for Riverside Cement Co.;
E. J. Bertana and Mike Mallin, for Lone Star
Industries; George B. Shannon, for Southwestern
Portland Cement Co.; and M. J. Nicolaus by
Elmer R. Steege, for Western Motor Tariff Bureau;
interested parties.

Robert E. Walker and George H. Morrison, for the
Commission staff.

O P I N I O N

Minimum Rate Tariff 10 (MRT 10) contains rates and rules governing the transportation of cement and related commodities, in bulk and in packages, within California by highway carriers. In Petition 101 the California Trucking Association (CTA) seeks a cost offset increase of approximately 5 percent in MRT 10 rates. Order Setting Hearing 93 (OSH 93) was consolidated with Petition 101 for hearing to determine whether the constructive mileages set forth in the Commission's Distance Table 8 (DT 8) should be adopted for computing distance rates in MRT 10.

Public hearing was held at San Francisco on January 6, 1977 at which time both matters were submitted subject to the receipt of late-filed staff Exhibit 9 and reply thereto by CTA which have been received. There is no protest.

MRT 10 cement rates were last revised on July 19, 1975 pursuant to Decision No. 84655 dated July 8, 1975. The current level of rates reflect labor costs in effect as of July 1, 1975, equipment cost updated to 1975, and fuel costs effective through April 1974. The CTA submitted a copy of the Teamster labor agreements for northern and southern California which indicate that as of May and July, 1976 the cement carriers' wage costs were materially increased. In addition, the carriers have incurred substantive increases in various allied payroll expenses.

The CTA introduced a study pertaining to the increased cost of transporting cement for the year 1976. The cost study further updates the 1975 historical cost data underlying the existing level of MRT 10 rates to reflect the 1976 costs of operations. A comparison of the historical 1975 hourly labor cost data with CTA's 1976 updated cost data follows:

TABLE I

Cost Factors	Northern Territory			Southern Territory		
	July 1	May 16	%	July 1	%	
	1975	1976		1975	1976	
Base Hourly Wage	\$ 6.910	\$ 7.410	7.24	\$6.200	\$6.700	3.06
Holidays - Funeral Leave	.283	.303	7.07	.175	.190	8.57
Premium Earnings	.760	.815	7.24	.620	.670	8.06
Vacation	.372	.399	7.26	.218	.235	7.80
Compensation Insurance	.346	.455	31.50	.353	.467	32.29
Payroll Taxes	.473	.572	20.93	.410	.496	20.98
Health, Welfare & Pension	1.035	1.106(1)	6.85	.727	.754	3.71
Total Direct Labor	10.179	11.060	3.66	8.703	9.512	9.30

(1) Effective June 1, 1976.

Under present labor agreements cement carriers in the northern and southern territories will incur increases in their direct hourly labor costs of approximately 88 cents and 31 cents, respectively. The 1976 increase in direct labor cost was next incorporated into the 1975 basic cost data underlying MRT 10 rates. The resulting total updated costs were then computed by CTA employing the established wage (cost) offset procedure for adjusting indirect expenses (Decision No. 76353 70 CPUC 277). Under this method indirect expenses are increased proportionately with direct costs. The resulting percentage increases in the total MRT 10 revised cost data were then employed as the basis for CTA's cost offset rate proposal. A comparison of the present and proposed bulk cement rates follows:

TABLE 2

Comparison of Present and Proposed
MRT 10 Bulk Cement Rates

Mileage		Rates (In Cents Per 100 Pounds)					
Over	But Not Over	Northern Territory			Southern Territory		
		Present	Proposed	%	Present	Proposed	%
5	10	13-1/4	13-1/2	1.9	9-1/4	9-3/4	5.4
20	25	15	15-1/4	1.0	11-1/4	12	6.7
45	50	20-1/2	20-3/4	1.2	18-1/4	19-1/4	5.5
50	55	22-1/4	22-1/2	1.0	24-1/4	25-1/4	4.1
95	100	31-3/4	33-1/4	4.7	26	27-1/2	5.8
145	150	42	44	4.8	36	38-1/4	6.3
190	200	49-1/2	51-3/4	4.5	44-1/2	47-1/4	6.2
240	250	57-1/2	60-1/4	4.8	52-3/4	56	6.2
290	300	64	67	4.7	59-1/2	63	5.9
380	400	79-1/2	83-1/4	4.7	74	78-1/2	6.1
400	500	94-1/2	99-1/4	5.0	89-1/2	94-3/4	5.9

The proposed cost offset rate increase for distances up to 60 miles within the northern territory have been held to 1/4 cent per 100 pounds in order to maintain existing competitive relationships between the various northern cement mills and to mitigate the threat of proprietary competition for the short-haul movement of cement.

The CTA recommends that the constructive mileages contained in the Commission's DT 8 be adopted as the basis for computing distance cement rates named in MRT 10. According to CTA when the freight bills of cement carriers are rerated under the provisions of the recently published DT 8 the otherwise applicable freight charges were reduced by approximately 1 to 2 percent. With the proposed adoption of DT 8, and the suggested increase in northern territory rates held to a maximum of 1/4 cent for distances up to 60 miles, and reductions or no increases in rates proposed for several other northern territory cement rates, CTA states that the overall impact of its cost offset rate increase will amount to no more than 4 percent and not 6 percent as originally indicated in Petition 101.

CTA submitted financial data pertaining to the status of eight representative carriers earning 50 percent or more of its revenues (45 percent for one large cement carrier) from the hauling of cement under the provisions of MRT 10. The 1975 results of operations for the selected cement carriers reflect an overall operating ratio of 97.0 percent. For the first three quarters of 1976 the same carriers experienced an overall operating ratio of 99.2 percent.

The CTA also measured the impact of the 1976 wage increase upon the operating results of the selected cement carriers. Its calculations together with an estimate of the effects of a 4 percent cost offset increase in MRT 10 rates are summarized in Table 3:

TABLE 3

Impact of 1976 Wage Increases Upon the Operating
Results of Eight Selected Cement Carriers
(Year 1975 Utilized As Datum Plane)

<u>A. Actual</u>		
1. Operating Revenues		\$9,131,324
2. Operating Expenses		8,858,960
3. Operating Ratio		97.0%
<u>B. Modification</u>		
4. Provision for Labor Increase (4.87%)	\$	431,431
<u>C. As Modified for Labor Cost Increase</u>		
5. Operating Revenues		\$9,131,324
6. Operating Expenses		9,290,391
7. Operating Ratio		101.7%
<u>D. As Modified for Cost and Revenue Increase</u>		
8. Operating Revenue (\$9,131,324 x .04)	\$9,496,577	
9. Operating Expenses	9,290,391	
10. Operating Ratio		97.8%

The staff recommends cost offset increases in MRT 10 rates as determined by the direct wage offset procedure. Under this method only direct labor cost increases are offset. A comparison of the additional annual revenue anticipated by CTA's rate proposal with the like revenue adjustment proposed by the staff is:

TABLE 4

Estimated Increased Revenues Under Petition 101

	<u>Current MRT 10 Estimated 1975 Annual Revenues</u>	<u>Average Percentage Increase</u>	<u>Increase In Annual Revenues</u>
Petitioner	\$25,359,946	5%	\$1,267,997
Staff	25,359,946	4	<u>1,014,398</u>
Difference Petitioner vs. Staff			253,599

From a review of CTA's rate proposal the staff has determined that the overall sought increase amounts to 5 percent and not 4 percent as indicated by CTA. Under the staff's suggested direct wage offset procedure the average percentage increase in MRT 10 rates amounts to 4 percent. The rates suggested by the staff also contemplate the adoption of DT 3 for determining distance rates under the provisions of MRT 10.

Further Regulatory Review

The Commission has announced its intention to carry out a thorough, systematic review of California trucking regulation by means of orders setting hearings in various consolidated ongoing proceedings and an order instituting an investigation into standards for entry into the field, as well as relationships between carriers and between carriers and shippers (Case No. 10278).

The applicant proposes a cost offset rate increase that when applied imposes a varying percentage increase depending upon the trip mileage. From Table 2 it can be seen that for the northern territory an increase of 1 percent is proposed for a trip of 20-25 miles whereas an increase of 5 percent is proposed for one of 400-500 miles. Ordinarily, per mile expenses are less for a longer haul. There has been nothing produced in this record that shows per mile expense is higher for longer trips. If we were to apply the rate increase in the manner the applicant proposes, without full cost justification, there would be the very real possibility that shippers in outlying areas would unreasonably be subject to higher rates not because of cost of service factors, but simply because there is less proprietary competition to such areas.

We are directing that northern territory MRT 10 rates be increased by the percentages proposed by the applicant up to the distance of 55-60 miles. For distances over 55-60 miles the applicant proposes a much steeper increase for the northern territory. We do not wish to distort truckload rates for longer northern territory distances by ordering MRT 10 rates for longer distances increased disproportionately to short-haul rates. If MRT 10 were to be repeatedly offset with larger increases being placed on long-haul rates, the pancaking effect of such offsets could distort rates out of proportion to costs for service to long-haul points. For distances over 55 to 60 miles we will order a 1 percent increase. If carriers find that for longer hauls MRT 10 rates are inadequate they may either charge more or, if they are common carriers, file a higher tariff. If MRT 10 rates require adjustment because the cost of service per mile varies with the length of haul, they should be adjusted only after a full investigation. We understand that generally most MRT 10 carriage is over relatively short distances and

that most MRT 10 revenue would be generated by such trips. We find it is not in the public interest for shippers in outlying northern territory locations to be arbitrarily subject to needlessly higher transportation costs resulting from distortive increases in MRT 10. If the applicant desires to present an alternative proposal to respread the offset increase for the northern territory, based on a relationship of cost per mile to mileage, it can petition for the reopening of this proceeding for reconsideration; or it can present such a proposal in the next filed petition to offset MRT 10.

The proposed offset increase is distributed proportionally for the southern territory, so the problems discussed above that arise with respect to the northern territory are not an issue for that portion of MRT 10.

Findings

1. The minimum rates named in MRT 10 were last revised on July 19, 1975 pursuant to Decision No. 84655 dated July 8, 1975 (Petition 95).
2. The cement carriers operating under the provisions of MRT 10 have incurred increases in wage costs and allied payroll expenses effective generally as of May 1 and July 1, 1976. Such labor cost increases are not reflected in the current level of MRT 10 rates.
3. Petitioner seeks an overall cost offset rate increase of approximately 5 percent which will generate additional annual revenues of about \$1,267,997.
4. The Commission staff recommends an average cost offset rate increase of approximately 4 percent which will produce additional annual revenues amounting to some \$1,014,398.

5. The 4 percent cost offset rate increase proposed by the staff has been shown to be justified except for northern territory bulk cement rates for distances beyond 60 miles where an increase of 1 percent has been shown to be justified.

6. Petitioner's proposed overall cost offset rate increase of 5 percent has not been shown to be justified.

7. We are not sympathetic to offset procedures, as we have stated in several recent decisions; however, we cannot fail to recognize that carriers are faced with increased costs of doing business. Accordingly and reluctantly, we will adjust the minimum rates pending the possible adoption and implementation of a plan for reregulation of the trucking industry.

8. The increased rates found justified herein are, and for the future will be, the just, reasonable, and nondiscriminatory minimum rates to be observed by highway carriers engaged in the transportation of cement under the provisions of MRT 10.

9. The constructive mileages named in DT 8, when applied in conjunction with MRT 10, will result in just, reasonable, and nondiscriminatory minimum rates for transportation governed by the tariff.

Conclusions

1. Petition 101 should be granted to the extent provided in the order herein and MRT 10 amended accordingly.

2. Common carriers should be authorized to depart from the long- and short-haul provisions of the Public Utilities Code to the extent necessary to publish the increased rates required herein.

3. With the adoption of the constructive mileages named in DT 8 the OSH 93 phase of this consolidated proceeding should be discontinued.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff 10 (Appendix A of Decision No. 44633, as amended) is further amended by incorporating therein, to become effective July 2, 1977, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix by this reference are made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision No. 44633, as amended, are hereby directed to establish in their tariffs the increases 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 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 rates.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 10 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 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 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 rates.

6. Common carriers maintaining rates not otherwise referred to in other ordering paragraphs of this decision are authorized to increase such rates by four percent.

7. Tariff publications resulting in increases required or authorized to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than the fifth day after the effective date of this order, on not less than five days' notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than July 2, 1977; as to increases which are authorized but not required, the authority shall expire unless exercised within sixty days after the effective date of this order; and tariff publications resulting in reductions 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.

8. 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.

9. Common carriers need not file with this Commission a distance table for the transportation of cement and related commodities but may instead publish in their tariffs the following provision to be made applicable only to distance rates for the transportation of said commodities:

"Distances to be used in connections with distance rates named herein shall be determined in accordance with Distance Table 8 issued by the Public Utilities Commission of the State of California."

10. In all other respects, Decision No. 44633, as amended, shall remain in full force and effect.

11. To the extent not granted herein, Petition 101 is denied and the OSH 93 phase of this consolidated proceeding is discontinued.

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

Dated at San Francisco, California, this 1st day of JUNE, 1977.

Robert Bateman
President
William J. Gurnea Jr.
Vernon L. Sturgeon
Charles D. Howell

Commissioners

APPENDIX A

LIST OF REVISED PAGES TO
MINIMUM RATE TARIFF 10

TWENTIETH	REVISED	PAGE	4
EIGHTH	REVISED	PAGE	6-A
SECOND	REVISED	PAGE	6-B
THIRD	REVISED	PAGE	7-A
SECOND	REVISED	PAGE	8-B
ELEVENTH	REVISED	PAGE	10
TWELFTH	REVISED	PAGE	12-A
TENTH	REVISED	PAGE	12-B
SECOND	REVISED	PAGE	12-C

(END OF APPENDIX A)

SECTION 1--RULES	ITEM
<p style="text-align: center;">DEFINITIONS (Items 10 and 11)</p> <p>CARRIER means a radial highway common carrier, a highway contract carrier or a cement contract carrier, as defined in the Highway Carriers' Act.</p> <p>COMMISSION means the Public Utilities Commission of the State of California.</p> <p>COMMON CARRIER 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>DEBTOR means the person obligated to pay freight charges to the carrier, whether consignor, consignee or other party.</p> <p>Distance TABLE means Distance Table 8.</p> <p>MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semitrailer, dolly or other vehicle drawn thereby.</p> <p>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.</p> <p>PALLETIZED SHIPMENT means a shipment tendered to and transported by the carrier on pallets.</p> <p>PALLETS means (a) pallets, metal or wooden, shipping, including inside spaces or supports for palletized loads; (b) pallets, platforms or skids, for lift trucks, iron, steel or wood, separate or combined, with fixed bodies or enclosures or with standing ends, sides, stakes or standards, loose or in packages; or without bodies, enclosures, standing ends, sides, stakes or standards, loose or in packages; or (c) pallets for lift trucks, paperboard, pulpboard or fibreboard.</p> <p>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent; except that (a) all locations within a radius of 50 feet from a single point, and (b) all locations on the property of a single consignee within a radius of 300 feet from a single point will be considered as one point of destination.</p> <p>POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation; except that (a) all locations within a radius of 50 feet from a single point, and (b) all locations on the property of a single consignor within a radius of 300 feet from a single point will be considered as one point of origin.</p> <p style="text-align: center;">(Continued in Item 11)</p>	<p style="text-align: center;">§10</p>
<p>Change, Decision No. S7410</p>	
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;">ACCESSORIAL SERVICES</p> <p>When carrier performs any accessorial or incidental service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges shall be assessed as follows:</p> <table> <tr> <th></th><th colspan="2">Charges in Cents</th></tr> <tr> <th></th><th>For First 30 Minutes or Fraction Thereof</th><th>For Each Additional 15 Minutes or Fraction Thereof</th></tr> <tr> <td>(a) For Driver, Helper, or Other Employee per Man---</td><td>0560</td><td>0280</td></tr> <tr> <td>(b) For Unit of Equipment-----</td><td>145</td><td>70</td></tr> </table> <p>The charge for unit of equipment shall apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of its driver or helper being engaged in such service.</p>			Charges in Cents			For First 30 Minutes or Fraction Thereof	For Each Additional 15 Minutes or Fraction Thereof	(a) For Driver, Helper, or Other Employee per Man---	0560	0280	(b) For Unit of Equipment-----	145	70	100
	Charges in Cents													
	For First 30 Minutes or Fraction Thereof	For Each Additional 15 Minutes or Fraction Thereof												
(a) For Driver, Helper, or Other Employee per Man---	0560	0280												
(b) For Unit of Equipment-----	145	70												
<p style="text-align: center;">DIVERTED SHIPMENTS</p> <p>Charges upon shipments diverted at request of consignor or consignee shall be assessed upon the basis of the charge established for the constructive mileage applicable via the point or points where diversion occurs, subject to Items 50 and 100.</p>		110												
<p style="text-align: center;">SHIPMENTS TRANSPORTED IN MULTIPLE LOTS (Items 115 and 116).</p> <p>When a carrier is unable to pick up an entire shipment at one time, or when more than one vehicle, or connected train of vehicles, are used to pick up the entire shipment, the following provisions shall apply in addition to other applicable rules and regulations:</p> <ol style="list-style-type: none"> The entire shipment shall be available to the carrier for immediate transportation at the time of the first pickup. A single shipping document for the entire shipment tendered shall be issued prior to or at the time of the first pickup. An additional shipping document shall be issued for each pickup and shall give reference to the single shipping document and shall be attached thereto and become a part thereof. <ol style="list-style-type: none"> If rated under the rates in this tariff, the entire shipment shall be picked up by the carrier within a period of two days computed from 12:01 a.m. of the date on which the initial pickup commences, excluding Saturdays, Sundays and legal holidays. If rated under the provisions of Items 150 and 160 (paragraph (b)) of this tariff, the entire shipment shall be picked up by the carrier within: <ol style="list-style-type: none"> a period of two days computed from 12:01 a.m. of the date on which the initial pickup commences, excluding Saturdays, Sundays and legal holidays, when the highway carrier's trailer equipment is placed for loading by the consignor without the presence of carrier personnel or motive equipment. a 24-hour period computed from 12:01 a.m. of the date on which the initial pickup commences, when the shipment is loaded other than under the conditions specified in subparagraph (1) above. <p style="text-align: center;">(Continued in Item 116)</p>		115												
<p> ♂ Change) ◊ Increase) Decision No. </p> <p style="text-align: center; font-size: 1.5em;">87410</p>														
EFFECTIVE														
<p>Correction</p> <p style="text-align: right;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>														

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">FURNISHING OF TRANSFER STORAGE FACILITIES</p> <p>Upon receipt of written request from the consignor or consignee, the carrier may furnish and/or transport to construction job sites, transfer storage facilities with a capacity not exceeding 4,500 cubic feet, subject to the following conditions and charges:</p> <p>(1) A suitable site shall be provided without cost to the carrier for the transfer storage facility with ready access accomodating the type of equipment operated by the carrier; and carrier must be provided 24-hour access for unloading.</p> <p>(a) The transfer storage facility, when placed at a job site, will for the duration of such job, be considered part of consignee's storage facilities and withdrawing or transferring cement from the transfer storage facilities will be the responsibility of the consignee. The rates provided in this tariff do not include carrier operation of such facility. If carrier provides personnel to operate such transfer facilities, charges provided in Item 100 must be assessed; and</p> <p>(b) Any fuel required to operate transfer facilities must be furnished by consignee.</p> <p>(2) Any cement remaining in the transfer storage facility at completion of project must be disposed of by the consignee.</p> <p>(3) The use of a carrier furnished transfer storage facility will be limited to the temporary storage of cement transported subject to the rates provided in Section 2 of this tariff.</p> <p>(4) The following charges shall be paid by the party requesting the services provided in this item:</p> <p>(a) For transporting, establishing and removing each transfer storage facility, an hourly charge of \$19.35 will be assessed and computed on a portal to portal basis.</p> <p>(b) Applies only to carrier furnished transfer storage facilities:</p> <p>1) For each week, or fraction thereof, beginning with the first delivery of cement to the facility or the date on which the carrier is instructed in the consignee's written request to place the transfer facility at the job site, whichever is first, and ending with delivery of the last load, or the date on which carrier is instructed by the consignee to remove storage facility, whichever is later, a charge of \$135.00; and</p> <p>2) For each calendar day in which cement is physically transferred from the storage facility, a charge of \$5.00 per day.</p> <p>(c) A charge of \$16.35 shall be made for the service of securing each permit, and a charge shall be made equal to the fee, if any, assessed by the governmental agency for issuing each permit.</p>	<p>0118</p>
<p>Change) Increase) Decision No.</p>	<p>87410</p>
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">SPLIT DELIVERY</p> <p>Shipments may consist 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, subject to the following conditions and additional charges:</p> <ol style="list-style-type: none"> 1. The composite shipment shall consist of not to exceed three component parts. 2. Except as provided in Item 180, charges shall be paid by the consignor when there is more than one consignee. 3. At the time of or prior to the tender of the composite shipment, the carrier shall have been furnished with written instructions showing the name of each consignee, the point or points of destination, and the kind and quantity of property in each component part. 4. The charge for the transportation of the composite shipment shall be the charge applicable for transportation of a single shipment of like kind and quantity of property, computed by applying the applicable mileage rate from point of origin to point of final destination via each individual destination. (See Exceptions 1 and 2.) <p>EXCEPTION 1.--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> <ol style="list-style-type: none"> (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. (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>EXCEPTION 2.--In the event that a carrier is instructed by the consignor to effect delivery to a destination or destinations in a manner which results in a distance greater than the distance determined under the provisions of Paragraph 4, the applicable through rate shall be based on the distance computed from origin to final destination via each individual destination in the order of delivery designated by the consignor. Instructions from the consignor must be in writing and shall be issued at or prior to the time of shipment.</p> <p>§5. In addition to the charge applicable for transportation of a single shipment of like kind and quantity of property, computed as set forth in Paragraph 4, an additional charge of \$7.20 shall be made for each of the component parts comprising the composite shipment.</p>	<p>§130</p>
<p> § Change) ◊ Increase) Decision No. </p> <p style="text-align: center; font-size: 1.5em;">S7410</p>	
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction

SECTION 1--RULES (Continued)

ITEM

COLLECT ON DELIVERY (C.O.D.) SHIPMENTS (Concluded)
(Items 140, 141 and 142)

10. If, in any particular case, exemption or deviation from any of the requirements herein deemed necessary by the carrier concerned, the Commission will consider the application of such carrier for such exemption or deviation when accompanied by a full statement of the conditions existing and the reasons why such exemption or deviation is considered necessary.

11. A carrier not electing to undertake transportation of C.O.D. shipments shall be deemed to have given notice of such election by not filing the bond provided for herein for carriers handling such shipments.

12. The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments shall be as follows:

When the amount collected is	Charge for collecting and remitting will be
Not Over \$ 20.00-----	\$ 0.85
Over 20.00 not over \$ 25.00-----	0.90
Over 25.00 not over 40.00-----	1.00
Over 40.00 not over 50.00-----	1.10
Over 50.00 not over 60.00-----	1.40
Over 60.00 not over 80.00-----	1.45
Over 80.00 not over 100.00-----	1.50
Over 100.00 not over 102.50-----	1.85
Over 102.50 not over 105.00-----	1.90
Over 105.00 not over 110.00-----	2.00
Over 110.00 not over 120.00-----	2.05
Over 120.00 not over 140.00-----	2.15
Over 140.00 not over 150.00-----	2.20
Over 150.00 not over 160.00-----	2.35
Over 160.00 not over 180.00-----	2.40
Over 180.00 not over 200.00-----	2.45
Over 200.00 not over 250.00-----	2.75
Over 250.00 not over 300.00-----	3.15
Over 300.00 not over 350.00-----	3.55
Over 350.00 not over 400.00-----	3.95
Over 400.00 not over 450.00-----	4.40
Over 450.00 not over 500.00-----	4.80
Over 500.00 not over 550.00-----	5.20
Over 550.00 not over 600.00-----	5.60
Over 600.00 not over 650.00-----	6.00
Over 650.00 not over 700.00-----	6.40
Over 700.00 not over 750.00-----	6.85
Over 750.00 not over 800.00-----	7.25
Over 800.00 not over 850.00-----	7.65
Over 850.00 not over 900.00-----	8.05
Over 900.00 not over 950.00-----	8.45
Over 950.00 not over 1,000.00-----	8.85

Over \$1,000.00 at rate of \$8.85 per \$1,000.00

0142

♦ Increase, Decision No.

S7410

EFFECTIVE

Correction

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

SECTION 1--RULES (Concluded)	ITEM
<p style="text-align: center;">ACCESSORIAL SERVICES NOT INCLUDED IN COMMON CARRIER RATES</p> <p>When a common carrier rate is applied in lieu of or in combination with rates provided in this tariff, and the common carrier rate does not include accessorial services as performed by carrier, the following charges shall be made for such services:</p> <ol style="list-style-type: none"> 1. For unloading of shipments, in packages, at a point of destination to which the common carrier rate applies, 2 3/4 cents per 100 pounds. 2. For accessorial services for which charges are provided in this tariff, the additional charge or charges so provided. 3. For other accessorial services for which charges are not otherwise provided in this tariff, the charges set forth in Item 100. 	0170
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS</p> <p>A shipping document (either in individual or manifest form) shall be issued by the carrier to the shipper for each shipment received for transportation. Except with respect to intercarrier transactions and as hereinafter provided, only one shipping document shall be issued for each shipment transported and the carrier shall not apportion, prorate, or otherwise divide the freight charges between or among the consignor, consignee(s), or any other parties. For accessorial service not included in the rate for actual transportation, the carrier shall furnish a shipping document to the consignor or consignee who requested or ordered such accessorial service. The shipping document shall show the following information:</p> <ol style="list-style-type: none"> (a) Name of shipper. (b) Name of consignee. (c) Point of origin. (d) Point of destination. (e) Description of the shipment. (f) Weight of the shipment (or other factor or unit of measurement upon which charges are based). (g) Rate and charge assessed. (h) Whether point of origin and/or point of destination is located at railhead and such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. <p>The form of shipping document in Section 3 will be suitable and proper.</p> <p>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>	100
<p style="text-align: center;">UNITS OF MEASUREMENT TO BE OBSERVED</p> <p>Rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.</p>	190
<p style="text-align: center;">ACCESSORIAL CHARGES NOT TO BE OFFSET BY TRANSPORTATION CHARGES</p> <p>Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected whenever 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.</p>	195
<p>◊ Increase, Decision No. 87410</p>	
EFFECTIVE	
<p>Correction ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

SECTION 2--DISTANCE RATES IN CENTS PER 100 POUNDS								ITEM
NORTHERN TERRITORY RATES								
MILES		RATES		MILES		RATES		
Over	But Not Over	(1) Bulk	(2) Sack	Over	But Not Over	(1) Bulk	(2) Sack	
0	3	11½	13½	145	150	42½	46	
3	5	12½	14½	150	160	44½	47½	
5	10	13½	15½	160	170	45½	49	
10	15	14	16	170	180	46½	50½	
15	20	14½	16½	180	190	48½	52½	
20	25	15½	17½	190	200	50	53½	
25	30	16½	18½	200	210	51½	54½	
30	35	17	19	210	220	53½	56	
35	40	18½	20	220	230	54½	57½	
40	45	19½	21	230	240	56½	58½	
45	50	20½	22½	240	250	58	60	
50	55	22½	25	250	260	59	61½	
55	60	25	27	260	270	60½	62½	
60	65	26½	28½	270	280	62	64	
65	70	26½	29½	280	290	63½	65½	
70	75	27½	31	290	300	64½	66½	
75	80	28½	31½	300	320	69½	69½	
80	85	29½	33	320	340	72	72½	
85	90	30½	33½	340	360	74½	75½	
90	95	31½	34½	360	380	77½	78½	
95	100	32	35½	380	400	80½	81½	
100	105	34	37	400	420	84½	84½	
105	110	34½	38	420	440	87	88	
110	115	35½	38½	440	460	90½	91½	
115	120	36½	40	460	480	92½	94½	
120	125	38½	41½	480	500	95½	98	
125	130	39½	42½					
130	135	40½	43½	500	---	(Add to the rate for 500 miles, 06 cents per 100 pounds for each 25 miles or fraction thereof)		
135	140	41	44½					
140	145	41½	45					
(1) Rates apply on shipments in bulk.								
(2) Rates apply on shipments in packages.								
o Increase) Decision No. 87410 o No change)								
EFFECTIVE								
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.								
Correction								

SECTION 2--DISTANCE RATES IN CENTS PER 100 POUNDS				ITEM
SOUTHERN TERRITORY RATES				
MILES		RATES		
Over	But Not Over	(1) Bulk	(2) Sack	
0	3	9	10½	
3	5	9½	10½	
5	10	9½	11½	
10	15	10½	12	
15	20	11½	12½	
20	25	11½	13½	
25	30	12½	14	
30	35	13	14½	
35	40	15½	17	
40	45	17½	19	
45	50	19	21	
50	60	20½	22½	
60	70	22	24	
70	80	23½	25½	
80	90	25½	27½	
90	100	27½	28½	
100	110	29	30½	
110	120	31	32½	
120	130	33	34½	
130	140	34½	36½	0210
140	150	36½	38	
150	160	38½	39½	
160	170	40½	41½	
170	180	42½	43	
180	190	44½	44½	
190	200	47½	47½	
200	220	49½	49½	
220	240	53½	53½	
240	260	56	56	
260	280	59	59½	
280	300	62	62½	
300	320	65	65½	
320	340	68	68½	
340	360	71	71½	
360	380	74	74½	
380	400	77	77½	
400	420	81½	81½	
420	440	84½	84½	
440	460	87½	87½	
460	480	90½	90½	
480	500	93½	93½	
500	---	(Add to the rate for 500 miles 06 cents per 100 pounds for each 25 miles or fraction thereof)		
(1) Rates apply on shipments in bulk.				
(2) Rates apply on shipments in packages.				
o Increase) Decision No. 87410				
o No change)				
EFFECTIVE				
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.				
Correction				

SECTION 2--DISTANCE RATES IN CENTS PER UNIT SHOWN		ITEM
Item canceled. Rates for distance exceeding 300 miles are set forth in Items 205 and 210.		215
Empty Pallets, Second Hand (Used), viz.: (Subject to Notes 1 and 2) (a) Returning after being used in the transportation of a palletized cement shipment, or returning in exchange for pallets used in the transportation of a palletized cement shipment, to the consignor of the cement shipment, or (b) Shipped for use, or in exchange for pallets to be used, to the consignor of a palletized cement shipment. NOTE 1.--The provisions of this item apply only in connection with pallets used in the transportation of cement subject to rates in Southern Territory. NOTE 2.--The provisions of this item apply only when the empty pallets are transported by the same carrier utilized in the transportation of the cement shipment.	RATE (In Cents Per Pallet)	0220
	21	
o Increase, Decision No. 87410		
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		