

ORIGINAL

Decision No. 88319 JAN 10 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga- )  
tion for the purpose of consid- )  
ering and determining minimum )  
rates for transportation of )  
general commodities within San )  
Diego County as provided in )  
Minimum Rate Tariff 9-B and the )  
revisions or reissues thereof. )

Case No. 5439

SUPPLEMENTAL OPINION AND ORDER

Decision 88316, entered today in Case 5432 et al., authorized amendment of Minimum Rate Tariffs 1-B, 2, 7-A, 8-A, 9-B, 14-A, 15 and 19 to cover transportation by agricultural carriers. The decision also provided that Minimum Rate Tariff 9-B should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff 9-B (Appendix A of Decision 67766, as amended) is hereby further amended by incorporating therein, to become effective January 10, 1978, Fifth Revised Title Page and Twenty-fourth Revised Page 7 attached hereto and by this reference made a part hereof.

2. The rates, charges and rules set forth in Minimum Rate Tariff 9-B are established and approved as the just, reasonable and nondiscriminatory minimum rates and charges to be assessed, charged and collected, and the rules to be observed by all agricultural carriers as defined in the Highway Carriers' Act for the transportation of fresh fruits, nuts, vegetables, logs and unprocessed agricultural commodities in carrier's equipment between the points for which rates are provided in said tariff.

3. In all other respects Decision 67766, as amended, shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this tenth day of January, 1978.

I abstain  
William Sprouns Jr  
I abstain  
Clair T. DeBrich

Robert Buttrick  
President

Vernon L. Sturgeon  
Charles R. Howell  
Commissioners

MINIMUM RATE TARIFF 9-B  
 NAMING  
 MINIMUM RATES AND RULES  
 FOR THE  
 TRANSPORTATION OF PROPERTY  
 OVER THE PUBLIC HIGHWAYS  
 WITHIN A  
 DEFINED SAN DIEGO DRAYAGE AREA  
 BY  
 RADIAL HIGHWAY COMMON CARRIERS  
 HIGHWAY CONTRACT CARRIERS  
 \*oo(E) AGRICULTURAL CARRIERS  
 CEMENT CONTRACT CARRIERS  
 AND  
 DUMP TRUCK CARRIERS

The original tariff contains rates and rules established in Decision No. 67766 in Case No. 5439. Changes will be made by issuing revised or added pages or by issuing supplements.

This tariff is governed by the publications described in Item 80 to the extent shown herein.

(E) Expires with January 31, 1979.

- Addition )  
 o Increase ) Decision No. **88319**  
 o Reduction )

EFFECTIVE JANUARY 1, 1978  
 (Original Tariff Effective October 3, 1964)

Correction

MINIMUM RATE TARIFF 9-B

SECTION 1--RULES	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10 and 11)</p> <p>ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bullet proof glass, and which is manned by an armed crew.</p> <p>*CARRIER means a radial highway common carrier, a highway contract carrier, *06(E) an agricultural carrier, a dump truck carrier or a cement contract carrier, as defined in the Highway Carriers' Act.</p> <p>CARRIER'S EQUIPMENT means any motor truck or other self-propelled highway vehicle, trailer, semitrailer, or any combination of such highway vehicles, operated by the carrier.</p> <p>COMMISSION means the Public Utilities Commission of the State of California.</p> <p>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>DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.</p> <p>DANGEROUS ARTICLES TARIFF means Hazardous Materials Tariff.</p> <p>DISTANCE TABLE means Distance Table 8 issued by the Commission.</p> <p>ESCORT SERVICE means the furnishing of pilot cars or vehicles by a carrier as may be required by any governmental agency to accompany a shipment for highway safety.</p> <p>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>EXCEPTION RATINGS TARIFF means Exception Ratings Tariff 1 issued by the Commission.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification NMF 100-D including supplements thereto or reissues thereof when the provisions of such reissues have been approved by the Commission.</p> <p>HAZARDOUS MATERIALS means articles or materials described in the Hazardous Materials Tariff.</p> <p>HAZARDOUS MATERIALS TARIFF means Hazardous Materials Tariff (ATA 111-C, Cal PUC 13, of American Trucking Associations, Inc., Agent.</p> <p>HOLIDAYS means New Year's Day (January 1), Washington's Birthday (the third Monday in February), Memorial Day (the last Monday in May), Fourth of July, Labor Day (the first Monday in September), Thanksgiving Day, the day after Thanksgiving, December 24 and Christmas Day (December 25). When a holiday falls on Sunday, the following Monday shall be considered as a holiday.</p> <p>INDEPENDENT-CONTRACTOR SUBHAULER 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>PERMIT SHIPMENT means a shipment which because of its width, length, height, weight or size requires special authority from a governmental agency regulating the use of highways, roads or streets for the transportation of such shipment in whole or in part.</p> <p style="text-align: center;">(Continued in Item 11)</p>	<p>§10</p>
<p>(E) Expires with January 31, 1979.</p> <p>                 § Change )                  * Addition )                  ◊ Increase )                  ◊ Reduction )                  Δ Change, neither increase )                      nor reduction )             </p>	<p>Decision.No. <b>88319</b></p>
<p>EFFECTIVE JANUARY 1, 1978</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p>	

Correction