

Decision No. 88320 JAN 10 1978

ORIGINAL

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 in the)
Counties of Contra Costa, Lake,)
Marin, Mendocino, Monterey,)
Napa, San Benito, San Mateo,)
Santa Clara, Santa Cruz, Solano)
and Sonoma, and in the County)
of Alameda and in the City and)
County of San Francisco as)
provided in Minimum Rate Tariffs)
1-B and 19 respectively, and)
the revisions or reissues there-)
of.)

Case No. 5441

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 Tariffs 1-B and 19 should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff 1-B (Appendix B of Decision 65834, as amended) is hereby further amended by incorporating therein, to become effective January 10, 1978, Seventh Revised Title Page, Twenty-second Revised Page 11 and Third Revised Page 12-A attached hereto and by this reference made a part hereof.
2. Minimum Rate Tariff 19 (Appendix A of Decision 41363, as amended) is further amended by incorporating therein, to become effective January 10, 1978, Seventh Revised Title Page, Twenty-seventh Revised Page 12 and Tenth Revised Page 13 attached hereto and by this reference made a part hereof.
3. The rates, charges and rules set forth in Minimum Rate Tariffs 1-B and 19 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 tariffs.

4. In all other respects Decisions 41363 and 65834, 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.

Robert Bateman
President

I abstain
William Lyons Jr

Vernon L. Sturgeon

I abstain
Clair J. DeWitt

Charles D. Powell

Commissioners

MINIMUM RATE TARIFF 1-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, (E) an agricultural carrier, a cement contract carrier or a dump truck 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>CITY DELIVERY or CITY DELIVERIES means transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the territory covered by this tariff at other than a carrier's depot, dock, wharf, pier, or landing.</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>DANGEROUS ARTICLES means articles described in the Hazardous Materials Tariff.</p> <p>HAZARDOUS MATERIALS TARIFF means Hazardous Materials Tariff DATA 111-C, Cal PUC 13, of American Trucking Associations, Inc., Agent.</p> <p>DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.</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>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 supplements or reissues have been approved by the Commission.</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 style="text-align: center;">** (Continued in Item 11)</p>	<p style="text-align: center;">#10</p>
<p>(E) Expires with January 31, 1979.</p> <p>Δ Change) = Addition) ◊ Increase) ◊ Reduction) Δ Change, neither increase) nor reduction) ** Eliminated)</p>	<p style="text-align: center;">Decision No. 88320</p>
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

MINIMUM RATE TARIFF 1-B
NAMING
MINIMUM RATES AND RULES
FOR THE
TRANSPORTATION OF PROPERTY OVER THE
PUBLIC HIGHWAYS WITHIN AND
BETWEEN THE CITIES OF
ALAMEDA ALBANY BERKELEY
EMERSVILLE OAKLAND PIEDMONT
BY
RADIAL HIGHWAY COMMON CARRIERS
HIGHWAY CONTRACT CARRIERS
*00(E) AGRICULTURAL CARRIERS
CEMENT CONTRACT CARRIERS
AND
DUMP TRUCK CARRIERS

The original tariff contains rates and rules established in Decision No. 65834 in Case No. 5441. Changes will be made by issuing revised or added pages or by issuing supplements.

This tariff is governed by the publications described in Item 100 to the extent shown herein.

(E) Expires with January 31, 1979.

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

88320

EFFECTIVE
(Original Tariff Effective October 12, 1963)

Correction

MINIMUM RATE TARIFF 1-B

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF-CARRIERS</p> <p>§ Rates, rules, regulations and classification named in this tariff are minimum rates, rules, regulations and classification and apply to the transportation of property over the public highways within and between the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont by Δ carriers as defined in Item 10.</p> <p>Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor subhaulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.</p>	820
<p>Δ Change) Δ Change, neither increase) Decision No. 88320 nor reduction)</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA	

Correction

MINIMUM RATE TARIFF 19
(FORMERLY CITY CARRIERS' TARIFF NO. 1-A)

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY OVER THE

PUBLIC HIGHWAYS

OF THE

CITY AND COUNTY OF SAN FRANCISCO

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

*06(E) AGRICULTURAL CARRIERS

AND

DUMP TRUCK CARRIERS

This tariff contains the rates, rules and classifications established in Decision No. 41363 in Case No. 4084. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

IMPORTANT NOTICE

Reference in this or other tariffs to City Carriers' Tariff No. 1-A shall be construed as referring to Minimum Rate Tariff 19.

This tariff is governed by the publications described in Item 70 to the extent shown herein.

(E) Expires with January 31, 1979.

* Addition)
◊ Increase) Decision No.
○ Reduction)

88320

Correction

EFFECTIVE
(Original Tariff Effective April 20, 1948)

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

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10 and 20)</p> <p>ARMORED CAR means any motor truck and/or other highway vehicle which has been armored with bullet resistant metal and/or bulletproof glass, and which is manned by an armed crew.</p> <p>*CARRIER means a radial highway common carrier, a highway contract carrier, (E) an agricultural carrier or a dump truck 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>CITY DELIVERY or CITY DELIVERIES means the transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the City and County of San Francisco at other than a carrier's depot, dock, wharf, pier or landing.</p> <p>*COMMISSION means the Public Utilities Commission of the State of California.</p> <p>DANGEROUS ARTICLES means articles described in the Hazardous Materials Tariff.</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>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 supplements or reissues have been approved by the Commission.</p> <p>HAZARDOUS MATERIALS TARIFF means Hazardous Materials Tariff AATA 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 style="text-align: center;">**</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>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee.</p> <p>POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor into the custody of the carrier for transportation.</p> <p style="text-align: center;">(Continued in Item 20)</p>	<p style="text-align: center;">#10</p>
<p>(E) Expires with January 31, 1979.</p> <p>g Change) + Addition) o Increase) o Reduction) Δ Change, neither increase) nor reduction) ** Eliminated)</p>	<p style="text-align: center;">Decision No. 88320</p>
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

MINIMUM RATE TARIFF 19

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded) (Items 10 and 20 series)</p> <p>POOL SHIPMENT means a shipment consisting of component parts which are for reshipment to two or more points of destination, such shipment being consigned to:</p> <ol style="list-style-type: none"> 1. A carrier with instructions for unloading, distribution and delivery of one or more component parts to consignees, their agents, or to other carriers; or 2. A consignee (other than a carrier) in connection with which pool shipment a carrier is instructed to unload, distribute and deliver one or more component parts to the consignee, subconsignees, their agents or to other carriers. <p>The term "delivery" as used in this definition means relinquishing the property to the consignee, his agent, or another carrier entitled to receive such property, whether at the point of distribution or elsewhere.</p> <p>POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift truck equipment.</p> <p>RATE means the figure stated in cents, dollars and cents, or fractions thereof, including the charge, and also the ratings, minimum weight and rules governing, and the accessorial charges applying in connection therewith to be used in computing the charge on property transported.</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 in an identical type of equipment.</p> <p style="text-align: center;">**</p> <p>TAILGATE LOADING means loading of the shipment into or upon carrier's equipment from a point at street level not more than 20 feet distant from said equipment or at other than street level when vehicular ramp is provided and made available to the carrier.</p> <p>TAILGATE UNLOADING means unloading of the shipment from carrier's equipment and placing it at a point at street level not more than 20 feet distant from said equipment, or at other than street level when vehicular elevator service or vehicular ramp is provided and made available to the carrier.</p> <p>TON means 2,000 pounds.</p> <p>TOW CAR means a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing or is otherwise exclusively used to render assistance to other vehicles.</p>	<p style="text-align: center;">§20</p>
<p style="text-align: center;">APPLICATION OF TARIFF--CARRIERS</p> <p>§Rates provided in this tariff are minimum rates for transportation by carriers as defined in Item 10.</p> <p>Rates and rules named in this tariff shall not apply to transportation by independent-contractor subhaulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent-contractors are performing transportation service.</p>	<p style="text-align: center;">§30</p>
<p> § Change) Δ Change, neither increase) Decision No. 88320 nor reduction) ** Eliminated) </p>	
<p>EFFECTIVE</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	