

ORIGINAL

Decision No. 88590 MAR 21 1978

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 sand, rock,)
gravel and related items in bulk,)
in dump-truck equipment between)
points in California as provided in)
Minimum Rate Tariff 7-A and the)
revisions or reissues thereof.)

Case No. 5437
Order Setting Hearing
No. 238
Petition for Modification
No. 240
Petition for Modification
No. 285

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff 7-A (MRT 7-A) names minimum rates for the transportation of rock, sand, and gravel and related commodities by highway carriers in dump truck equipment.

Decision No. 88440 issued January 31, 1978 in the captioned proceedings and Case No. 5437 (OSH 238) et al. found that the provisions of Minimum Rate Tariffs 7-A, 17-A, and 20 should be revised to provide divisions of revenues between overlying and underlying carriers when trailers are furnished by the former, and that MRT 7-A should be amended by separate order.

On February 10, 1978, California Trucking Association filed a petition seeking rehearing of the aforementioned decision which automatically stayed the order until the petition was granted or denied.

By Decision 88577 signed March 7, 1978, in the above mentioned proceedings, the Commission denied the petition for rehearing of Decision 88440, filed by the California Trucking Association and reinstated the provisions of Decision 88440.

Pursuant to Resolution A-4661,

IT IS ORDERED that:

1. Minimum Rate Tariff 7-A (Appendix B to Decision No. 82061, as amended) is further amended by incorporating therein, to become effective May 1, 1978 the supplement and revised pages contained in Appendix A, attached hereto and by this reference made a part hereof.

ORIGINAL

2. Common carriers subject to the Public Utilities Act, to the extent that they also are subject to Decision No. 82061, 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 shall be made effective May 1, 1978, on not less than ten days' notice to the Commission and to the public.

4. Common carriers, in establishing and maintaining the amendments 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 amendments 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 Nos. 88440 and 82061, as amended, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 21st day of MARCH, 1978.

PHILLIP E. BLECHER
Executive Director
of the Public Utilities
Commission of the State of California

APPENDIX A

LIST OF SUPPLEMENT AND REVISED PAGES TO
MINIMUM RATE TARIFF 7-A

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FIFTH	REVISED	PAGE	6
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(END OF APPENDIX A)

VACATING SUPPLEMENT

SUPPLEMENT 9

(Cancels Supplements 7 and 8)

(Supplements 2 and 9 Contain All Changes)

TO

MINIMUM RATE TARIFF 7-A

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY IN DUMP TRUCK
EQUIPMENT BETWEEN POINTS IN CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AGRICULTURAL CARRIERS

AND

DUMP TRUCK CARRIERS

VACATING NOTICE

The suspension notice contained in Supplement 8 is vacated and the following tariff pages shall become effective May 1, 1978.

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THIRD	REVISED	PAGE 17
FIRST	REVISED	PAGE 21

Decision No.

88590

EFFECTIVE MAY 1, 1978

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

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Decision No.

88590

EFFECTIVE MAY 1, 1978

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

Correction

SECTION 1--ROLES	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>BATCHING PLANT means an installation (structure and appurtenant storage area) at which the ingredients for the production of concrete are received, stored, weighed, batched and subsequently transported therefrom.</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>COMMERCIAL PRODUCING PLANT means an installation (structure and appurtenant storage area) at which rock, sand, and/or gravel are processed as to size and/or grade and placed in stockpiles or bunkers.</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>CONSIGNEE means the person, firm or corporation to whom the property is to be physically delivered by the carrier.</p> <p>CONSIGNOR means the person, firm or corporation from whom the property was physically received by the carrier for transportation.</p> <p>DEBTOR means the person(s) and/or corporation(s) obligated to pay a freight charge of a carrier. It also includes an overlying carrier utilizing service(s) of an underlying carrier.</p> <p>DISTANCE TABLE means Distance Table 8 issued by the Commission.</p> <p>DISTRIBUTING YARD means an area for storage of rock, sand, gravel, or cold road oil mixture (commonly called "plant mix") in piles, bins, silos or bunkers.</p> <p>DRY MIXTURES OF SAND, AND/OR GRAVEL AND/OR CRUSHED STONE (WITH OR WITHOUT CEMENT) IN BATCHES means a shipment of said mixture transported in dump truck equipment provided with one or more batch gates permitting the loading and unloading of a portion or portions of the shipment separately from the other portion or portions of the shipment.</p> <p>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>EARTH includes dirt, loam, silt or soil, individually or in any combination. It also includes miscellaneous material such as stone, rock, tree stumps, and broken concrete in combination with earth when such material does not exceed 50 percent of the total volume of the shipment.</p> <p>FREIGHT CHARGE means a charge which applies pursuant to provisions of this tariff for any service(s) performed by a carrier.</p> <p>HOT PLANT means a fixed installation for the heating of road oil or asphalt and the mixing of such heated oil or asphalt with rock, sand and any other ingredients to produce cold road oil mixture ("plant mix") or asphaltic concrete ("hot stuff").</p> <p>MAXIMUM ALLOWED LOAD means the maximum total gross weight with load in pounds permitted under the provisions of Section 35551 of the California Vehicle Code, based on a distance between the first and last axles of 56 feet or over.</p> <p style="text-align: center;">(Continued)</p>	10
<p>(E) Expires with January 31, 1979. No change on this page, Decision No. 88590</p>	
EFFECTIVE MAY 1, 1978	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

ITEM	SECTION 1--RULES (Continued)
	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Continued)</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. (See Note.)</p> <p>NOTE.--The term "Overlying Carrier" also includes an underlying carrier which employs another carrier to perform transportation service.</p> <p>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>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. Except for transportation subject to paragraph (1) of Item 150, 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 style="text-align: center;">**</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 or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.</p> <p>RATE includes charge, and also the ratings, minimum weight, rules 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>SEWAGE DISPOSAL PLANT means a fixed installation in which filtering rock is used for getting rid of sewage.</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 to be transported at one time in one unit of equipment. (See also exceptions in rule and definition for multiple lot shipment). (1) 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 style="text-align: center;">(Continued)</p>
§10	<p>Change) ** Eliminated) Decision No. 88590</p>
	EFFECTIVE MAY 1, 1978
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Rates of common carriers by land published and filed with the Commission may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation, from the same point of origin to the same point of destination, than results from the application of the rates herein provided (Subject to Notes 1, 2, 3, 4 and 5).</p> <p>NOTE 1.--(Applies only in Northern Territory.) When the point of origin is on an industrial railroad connecting with a common carrier railroad, the common carrier rate shall be deemed to apply from the point of origin.</p> <p>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. When the rail carload rate is subject to a specified minimum weight, subject to the condition that if the car is loaded to full visible or weight carrying capacity, actual weight will apply, or to actual weight but not less than a lesser carload minimum weight, the actual weight will apply subject to the lesser carload minimum weight, if any.</p> <p>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.</p> <p>NOTE 4.--When rail switching charges are applicable in connection with line-haul movements by rail and the gross weight of the shipment exceeds the applicable carload minimum weight, only one rail switching charge shall be assessed.</p> <p>NOTE 5.--In the event the common carrier rate which is used does not include loading and/or unloading services, a charge of 16¢ cents per ton for loading and/or a charge of 16¢ cents per ton for unloading shall be added to the applicable common carrier rate. No additional charge shall be applied for loading if the common carrier rate includes loading and no additional charge shall be applied for unloading if the common carrier rate includes unloading. Actuation by carrier's driver or employee of loading or unloading devices shall constitute loading or unloading service.</p>	100
<p>No change on this page, Decision No. 88590</p>	
<p>EFFECTIVE MAY 1, 1978</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction

ITEM	SECTION 1--RULES (Continued)
110	<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES (Subject to Notes 1, 2, 3, 4 and 5 of Item 100)</p> <p>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:</p> <p>(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 the entire shipment, for the distance from the point of origin to any such team track or private railhead from which the common carrier rate used applies. (See Note 1)</p> <p>(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 tonnage rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from any such team track or private railhead to point of destination. (See Note 1)</p> <p>(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, the tonnage rate provided in this tariff, applicable to the weight of the entire shipment, for the distance 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, plus the tonnage rate provided in this tariff, applicable to the weight of the entire shipment, for the distance 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 Note 1)</p> <p>NOTE 1.--(Applicable only within or from Northern Territory) (Exception to Note 5 of Item 100)--The additional charge for loading will not apply when the railhead from which a common carrier rate applies has a facility by which rail cars can be loaded by gravity directly from a unit of dump truck equipment. The additional charge for unloading will not apply when the railhead to which a common carrier rate applies has a facility by which a unit of dump truck equipment can be loaded by gravity directly from a rail car.</p>
120	<p style="text-align: center;">BRIDGE AND FERRY TOLLS</p> <p>Except as provided in Items 530 to 560 inclusive, and except on shipments transported under distance rates determined by the use of the Distance Table, the actual bridge or ferry tolls shall be added to the transportation charge when such facilities are used by the carrier.</p>
121	<p style="text-align: center;">HANDLING OF CLAIMS FOR LOSS OR DAMAGE</p> <p>Claims for loss or damage shall be governed by the provisions of General Order No. 139.</p>
(1) 125	<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 85 percent of the otherwise applicable charge. In assessing charges under the tonnage rates contained in Sections 2 and 3 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 210).</p>
<p>(1) Item 125 transferred from First Revised Page 14, Decision No. 88590</p>	
<p>EFFECTIVE MAY 1, 1978</p>	
Correction	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

MINIMUM RATE TARIFF 7-A

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">CHARGE FOR TRACTOR AND DRIVER WITHOUT TRAILING EQUIPMENT (By Overlying Carrier)</p> <p>Except as provided in Note 1, charges to be paid by an overlying carrier to an underlying carrier furnishing a tractor and driver without trailing equipment, but towing trailing equipment furnished by the overlying carrier, shall be not less than 80 percent of the charges applicable under the minimum rates prescribed in this tariff. In assessing charges under the tonnage rates contained in Sections 2 and 3 of this tariff, the carrier furnishing the tractor and driver need not assess a charge for the amount of unladen weight of the trailing equipment when under load, nor assess a charge for the empty return movement.</p> <p>NOTE 1.--The overlying carrier shall be entitled to deduct from the charges to be paid under this item any amount that the overlying carrier is entitled to retain under the application of Item 210.</p> <p>NOTE 2.--An overlying carrier shall not require that an underlying carrier use trailers owned or controlled by the overlying carrier as a condition precedent to the engagement of the underlying carrier's service.</p>	126
<p style="text-align: center;">COLLECTION OF CHARGES (1)</p> <p style="text-align: center;">(For other provisions concerning payments of overlying carrier to underlying carriers, see also Item 210.)</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 the freight in advance of 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>	130
<p>(1) Will not apply to the transportation of property for the United States, state, county or municipal governments.</p>	
<p>(2) Item 125 transferred from First Revised Page 14 to Sixth Revised Page 13.</p>	
<p>Change) Decision No. 88590 Addition)</p>	
<p>EFFECTIVE MAY 1, 1978</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction

ITEM	SECTION 1--RULES (Continued)
140	<p style="text-align: center;">COLLECT ON DELIVERY (C.O.D.) SHIPMENTS</p> <p>1. A collect on delivery shipment, hereinafter referred to as a C.O.D. shipment, means a shipment upon which the consignor has attached, as a condition of delivery, the collection of a specific sum or sums of moneys by the carrier making delivery thereon and the return of said moneys to the consignor or other payee designated by the consignor.</p> <p>2. Every carrier handling C.O.D. shipments shall:</p> <ul style="list-style-type: none">(a) Establish and maintain a separate bank account or accounts wherein all moneys (other than checks or drafts payable to consignor or payee designated by consignor) collected on C.O.D. shipments will be held in trust until remitted to payee, except C.O.D. moneys which are remitted within five days after delivery.(b) Establish and maintain a record or records of all C.O.D. shipments in such manner and form as will plainly and readily show the following information with respect to each shipment:<ul style="list-style-type: none">(1) Number and date of freight bill.(2) Name and address of consignor or other person designated as payee.(3) Name and address of consignee.(4) Date shipment delivered.(5) Amount of C.O.D. moneys collected.(6) Date C.O.D. moneys remitted.(7) Check number or other identification of remittance to payee.(c) Collect the full amount of the C.O.D. moneys at the time C.O.D. shipments are delivered to the consignee and remit all such collections to consignor, or to other persons designated by the consignor on such shipments, promptly and in no event later than 10 days after delivery to the consignee, unless consignor instructs otherwise in writing. All remittances for C.O.D. shipments shall refer to or otherwise identify the C.O.D. shipment or shipments covered by the remittance.(d) Not accept checks or drafts (other than certified checks, cashier's checks, or money orders) in payment of C.O.D. charges unless authority has been received from the consignor.(e) Notify the consignor immediately if a C.O.D. shipment is refused or cannot be delivered because of circumstances beyond the carrier's control. In the event of such nondelivery, and pursuant to the consignor's instructions, the shipment shall either be returned to the consignor subject to double the outbound freight charges for the round-trip movement, or delivered to another consignee subject to the applicable distance rate, in addition to the original rate, from the point of nondelivery to the new destination. (See Note) <p>NOTE.--If hourly rates are applicable on deliveries involving C.O.D. shipments, such hourly rates shall supersede the rate otherwise provided for in this subparagraph.</p> <p>3. The bond prescribed in General Order No. 84-C shall not be required of carriers while engaged as independent-contractor subhaulers; carriers while engaged in transporting property for which rates are provided in Minimum Rate Tariff 7-A; carriers operating within lawfully established pickup and delivery limits as agents of a common carrier in the performance for such common carrier of transfer, pickup, or delivery services provided for in the lawfully published tariffs of such common carrier.</p>
	No change on this page, Decision No. 88590
	EFFECTIVE MAY 1, 1978
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">PAYMENTS TO UNDERLYING CARRIERS</p> <p>§*Except as provided in Item 126, 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, less the gross revenue tax applicable and required to be paid by the overlying carrier. (See Notes 1 and 2). 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 underlying carriers to overlying carriers within three days after the last calendar day of the month in which the transportation was performed.</p> <p>§NOTE 1.--As used in this item the term "gross revenue tax" means the tax payable to the California Public Utilities Commission under the Transportation Rate Fund 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>§210</p>
<p style="text-align: center;">RATES BASED ON VARYING MINIMUM TRUCKLOAD WEIGHTS</p> <p>When charges on a shipment transported in one unit of dump truck equipment at one time based on actual weight exceed the charges which would accrue if charges were computed upon a rate based upon a higher minimum weight, the latter will apply.</p>	<p>220</p>
<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 include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs and references to general orders include references to amendments or successive issues of such general orders.</p>	<p>230</p>
<p>§ Change) * Addition) Decision No. 88590</p>	
<p>EFFECTIVE MAY 1, 1978</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

ITEM	SECTION 1--RULES (Continued)
6235	<p style="text-align: center;">REPAIRS OR REPLACEMENTS TO TRAILING EQUIPMENT</p> <p>When it becomes necessary for the carrier furnishing the tractor and driver without trailing equipment, under provisions of Item 125, 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>
238	<p style="text-align: center;">MIXED SHIPMENTS</p> <p>When two or more commodities for which two or more different rates are provided in this tariff, or rates are provided in this tariff and Minimum Rate Tariff 17-A or 20, and these commodities are intermingled in a shipment, the rate and tariff applicable to the commodity or commodities (if more than one commodity is subject to the same rate) in the shipment having the greatest aggregate actual weight shall apply. The rate thus determined shall be applied to the total weight of the shipment. (See Note)</p> <p>NOTE.--When a shipment described in the above paragraph consists of two intermingled commodities which are of equal weight and different rates apply to each commodity, the higher rate and the appropriate tariff shall apply.</p>
	<p>Change, Decision No. 88590</p>
	EFFECTIVE MAY 1, 1978
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.