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Decision No. 89005 JUN 27 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

Case No. 5439, OSH 290
(Filed November 2, 1976)

OPINION AND ORDER ON REHEARING

Decision No. 89004, entered today in Case No. 5432, OSH 922, found that with modifications there is a need for the exemption ordered by Decision No. 86379; that Decision No. 86379 should be rescinded by separate order; and that the tariff revisions attached hereto should be adopted.

IT IS ORDERED that:

1. Decision No. 86379 is rescinded.
2. Minimum Rate Tariff 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective thirty-nine days after the date hereof, Supplement 25, Twenty-fifth Revised Page 7, and Third Revised Page 17-A attached hereto and by this reference made a part hereof.

3. OSH 290 in Case No. 5439 is concluded.

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

Dated at San Francisco, California, this 27th day of JUNE, 1978.

William Guore Jr President
Vernon L. Sturgeon
George W. Howell
Clair T. Sedwick Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

SUPPLEMENT 25
(Cancels Supplement 20)
(Supplements 15, 22, 24 and 25 Contain All Changes)

TO
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
AGRICULTURAL CARRIERS
CEMENT CONTRACT CARRIERS
AND
DUMP TRUCK CARRIERS

Decision No.

89005

EFFECTIVE

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

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, (2) 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>*COURIER SERVICE is defined as operations having the following characteristics: (a) A carrier vehicle fleet consisting of only vehicles having a licensed weight of 4,500 pounds or less; (b) Delivery shall be made within 24 hours after pickup.</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. #10</p> <p>EXCEPTION RATINGS TARIFF means Exception Ratings Tariff 1 issued by the Commission.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification NMT 100-E, 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>(E) Expires with January 31, 1979.</p> <p>Change) * Addition) Decision No. 89005</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

MINIMUM RATE TARIFF 9-B

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES (Concluded) (Items 50, 51 and 52)</p> <p>3. Rates in this tariff will not apply to the transportation of the following:</p> <p>Commodities picked up or delivered for common carriers within the common carriers' lawfully published pickup and delivery limits, when transported beyond said pickup and delivery limits under through rates</p> <p>Commodities weighing 100 pounds or less per package or piece when delivered from retail stores or retail store warehouses, or when returned to the original stores or retail store warehouses via the carrier which handled the outbound movement</p> <p>Commodities when transported in an armored car operated under permit from the Commissioner of the California Highway Patrol</p> <p>Commodities which have been sold at retail by a retail merchant, and transported from a retail store or retail store warehouse to residences of retail customers, or transported from residences of retail customers to retail stores or retail store warehouses, and such transportation is performed in vehicles in the exclusive use of the retailer and provided no shipment exceeds 2,000 pounds in weight; further, that the merchandise is for the use or consumption of retail customers and is not for use in the furtherance of an industrial or commercial enterprise; and provided that the retailer shall certify on the shipping document for each delivery that the merchandise was sold at retail to a retail customer</p> <p>Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.</p> <p>Property shipped to or from producers of motion pictures or television shows when transported subject to the rates and rules provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended</p> <p>Property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services</p> <p>Property transported to a United States Post Office for mailing, United States mail transported from a post office to the addressee thereof, and United States mail transported for the Post Office Department under contract</p> <p>Property transported for a displaced person when the cost thereof is borne by a public entity as provided in Section 7262 of the Government Code.</p> <p>*Shipments of the following commodities, when transported by carriers engaged in courier service as defined in Item No. 10 of this tariff: (1) Business Records, viz., checks, drafts, money orders, securities, transit items, sales audit media, tabulation cards, data processing materials, legal documents, printed or reproduced documents or data and related items, video tapes, films and printed news stories; (2) Medical specimens, viz., Human and animal specimens, contained in glass or plastic tubes or vials, or whole blood serum for medical laboratory examination; individual units of whole blood; glass slides for microscopic tissue examination; urine and stool specimens; sputum, wound and other similar cultures; tissue samples for pathological examination; X-ray photographs; medical transmittal documents, and documents reporting results of laboratory examination, and specimen envelopes, laboratory test forms and transmittal containers furnished by medical laboratories to their clients.</p>	<p style="text-align: center;">52</p>
<p>(1) Second Revised Page 17-A was suspended by Supplement 20. ♂ Change) Decision No: * Addition)</p>	
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction 89005</p>	