

Decision No. 89381 SEP 6 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

By Decision 89379 entered today in Case 5432,  
the Commission found that provisions regarding the transportation  
of hazardous materials should be amended in Minimum Rate Tariffs 2,  
1-B, 9-B and 19, and that the amendments to Minimum Rate Tariffs 1-B  
and 19 should be made 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 further amended by incorporating therein, to become  
effective thirty-nine days after the date hereof, Seventh Revised  
Page 23-A and Fourteenth Revised Page 25 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 thirty-nine days after the date hereof, Second Revised  
Page 19-A and Second Revised Page 21-A attached hereto and by this  
reference made a part hereof.

3. Common carriers subject to the Public Utilities Act, to  
the extent that they are subject also to Decisions 41363 and 65834,

as amended, are authorized to establish in their tariffs the amendments necessary to conform with the further adjustment ordered by this decision.

4. Tariff publications authorized to be made by common carriers as a result of this order may be made effective not earlier than thirty-nine days after the date hereof 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.

5. 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.

6. In all other respects, Decisions 41363 and 65834, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 6<sup>th</sup> day of SEPTEMBER, 1978

Robert B. Quinn  
President  
William S. Quinn  
Vernon L. Sturgeon  
Charles D. Corralle

Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;"><b>HAZARDOUS MATERIALS</b></p> <p>ΔHazardous Materials must not be accepted for transportation unless at the time of or prior to the initial pickup the consignor has furnished to the carrier written information as required under the regulations of the Hazardous Materials Tariff.</p> <p>ΔTo the extent hereinafter provided, the following provisions of this tariff will not apply to shipments of dangerous articles or hazardous materials:</p> <ol style="list-style-type: none"> <li>1. Item 320 (Mixed Shipments) will not apply to shipments containing one or more commodities which the Hazardous Materials Tariff prohibits being transported at the same time on a single unit of carrier's equipment.</li> <li>2. Items 150-152 (C.O.D. Shipments) will not apply to shipments, including any component parts thereof, containing explosives (Class A, B or C), dangerous articles, and/or any other hazardous materials which may not be left unattended in the carrier's equipment under the regulations of the Hazardous Materials Tariff.</li> </ol>	<p>6175</p>
<p style="text-align: center;"><b>FAILURE TO ACCOMPLISH DELIVERY</b></p> <p>ΔExcept as otherwise provided in the Hazardous Materials Tariff, if the carrier, through no fault of its own, is unable to effect delivery of any shipment within 48 hours, excluding Saturdays, Sundays and holidays, after receipt of the shipment, notice will be sent or given to consignor or consignee that the shipment is being placed in storage. Thereafter the shipment will be stored at carrier's terminal subject to the rates and charges set forth below, or at carrier's option may be placed in public warehouse.</p> <p style="padding-left: 40px;">For each of the first five days, 5½ cents per 100 pounds.</p> <p style="padding-left: 40px;">For the sixth and each succeeding day, 8 cents per 100 pounds.</p> <p>Minimum storage charge per shipment on freight held beyond 48 hours, 5 days or less, 77 cents; 6 days or more, \$1.18.</p> <p>In computing time, any fractional part of 24 hours will be counted as one day.</p> <p>In computing charges, any fractional part of 100 pounds will be computed as 100 pounds.</p> <p>Shipments unloaded from vehicle and reloaded on vehicle will be subject to a charge of \$4.70 per ton in addition to all other charges.</p> <p>Subsequent delivery from point of storage will be charged as a new shipment.</p>	<p>6180</p>
<p>Δ Change )                  Δ Change, neither increase ) Decision No. <b>89381</b>                  nor reduction )</p>	
<p><b>EFFECTIVE</b></p>	
<p>Correction ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p>	

SECTION 1--RULES (Continued)	ITEM
<p>ISSUANCE OF DOCUMENTS</p> <p>61. ISSUANCE OF BILLS OF LADING.</p> <p>Δ(a) The bill of lading required to be issued in accordance with provisions of the Governing Classification shall be issued at the time of or prior to the receipt of or pickup of the shipment. *DESCRIPTION OF DANGEROUS ARTICLES OR HAZARDOUS MATERIALS MUST BE IN TERMS PRESCRIBED IN THE HAZARDOUS MATERIALS TARIFF, INCLUDING REFERENCE TO LABELING REQUIREMENTS (See Item 175 of this tariff).</p> <p>(b) A freight bill shall be issued by the carrier for each shipment transported. The freight bill shall show the following information:</p> <ol style="list-style-type: none"> <li>1. Carrier's name, the carrier's current address (including zip code).</li> <li>2. Carrier's telephone number (including area code).</li> <li>3. Date of freight bill.</li> <li>4. Date of shipment.</li> <li>5. Name of consignor and consignee.</li> <li>6. Point of origin and destination.</li> </ol> <p>Δ7. Description of the shipment (in terms of the Governing Classification, Exception Ratings Tariff, Hazardous Materials Tariff or as provided in this tariff).</p> <ol style="list-style-type: none"> <li>8. Weight of the shipment (or other factor or unit of measurement upon which the charges are based).</li> <li>9. Rate and charges assessed.</li> <li>10. Such other information as may be necessary to make an accurate determination of the applicable minimum rate and charge.</li> </ol> <p>Δ2. For the transportation of (1) permit shipments, (2) shipments which require circuitous routing, (3) shipments requiring escort service, or (4) dangerous articles or hazardous materials, the following information, wherever applicable, shall be shown on all bills of lading, freight bills or accessorial service documents issued by the carrier in connection therewith and shall be in addition to the information otherwise required to be shown thereon:</p> <ol style="list-style-type: none"> <li>(a) Permit identification of all permit shipments.</li> <li>(b) Any circuitous routing required, and the authority therefor.</li> <li>(c) Any escort service furnished and the authority therefor.</li> </ol> <p>Δ(d) Any description of dangerous articles *or hazardous materials must be in terms prescribed in the Hazardous Materials Tariff, including reference to labeling requirements. A further description not inconsistent therewith may be included.</p> <p>3. A copy of each bill of lading, 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 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>	<p>6240</p>
<p>Δ Change )        * Addition )        Δ Change, neither increase ) Decision No. <b>S93S1</b>        nor reduction )</p>	
<p>EFFECTIVE</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,        SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">#HAZARDOUS MATERIALS</p> <p>All hazardous materials must not be accepted for transportation unless at the time of or prior to the initial pickup the consignor has furnished to the carrier written information as required under the regulations of the Hazardous Materials Tariff.</p> <p>ΔTo the extent hereinafter provided, the following provisions of this tariff will not apply to shipments of dangerous articles or hazardous materials:</p> <ol style="list-style-type: none"> <li>1. Item 210 (Mixed Shipments) will not apply to shipments containing one or more commodities which the Hazardous Materials Tariff prohibits being transported at the same time on a single unit of carrier's equipment.</li> <li>2. Collect on Delivery Shipments will not apply to shipments, including any component parts thereof, containing explosives (Class A, B or C), dangerous articles and/or any other hazardous materials which may be left unattended in the carrier's equipment under the regulations of the Hazardous Materials Tariff.</li> </ol>	<p>#135</p>
<p>Δ Change )                  Δ Change, neither increase ) Decision No. <b>89381</b>                  nor reduction )</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>	

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Correction