

Decision No. 89563 OCT 17 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
Petition for Modification
No. 355

SUPPLEMENTAL OPINION AND ORDER

Decision No. 89558, entered today in Case No. 5432, Petition for Modification No. 883 et al authorized the cancellation of certain tariff supplements and pages of Minimum Rate Tariffs 2, 1-B, 9-B and 19. 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 No. 65834, as amended) is further amended by incorporating therein, to become effective twenty-five days after the date hereof, Supplement 32, Seventh Revised Page 2-A, Fourth Revised Page 19-A, and First Revised Page 27-B attached hereto and by this reference made a part hereof.
2. Minimum Rate Tariff 19 (Appendix A of Decision No. 41363, as amended) is further amended by incorporating therein, to become effective twenty-five days after the date hereof, Supplement 41,

Twenty-fourth Revised Page 2, Twenty-seventh Revised Page 19 and Twenty-seventh Revised Page 24 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 Nos. 41363 and 65834, as amended, are directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.

4. Tariff publications of common carriers shall be made effective not earlier than twenty-five days after the date hereof on one day's notice to the Commission and the public.

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

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 17th day of OCTOBER, 1978.

William J. Quinn ^{President}
Veronica L. Sturgeon
Richard D. Howell
Clare J. Devine
Commissioners

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

CANCELLATION SUPPLEMENT

SUPPLEMENT 32

(Cancels Supplements 27 and 31)

(Supplements 20 and 32 Contain All Changes)

TO

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
EMERYVILLE	OAKLAND	PIEDMONT

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AGRICULTURAL CARRIERS

CEMENT CONTRACT CARRIERS

AND

DUMP TRUCK CARRIERS

Decision No.

89563

EFFECTIVE

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

MINIMUM RATE TARIFF 1-B

TABLE OF CONTENTS (Concluded)	ITEM (Inclusive)	PAGE (Inclusive)
<p> §RULES: Accessorial Charges----- Accessorial Charges Not To Be Offset by Transportation Charges----- Alternative Application of Common Carrier Rates----- Charges for Obtaining a Weighmaster's Certificate----- Charges for Service at Other Than Regular Working Hours--- Collection of Charges----- Collection of Loss and/or Damage Claims----- Collect on Delivery Service (C.O.D. Shipments)----- Dangerous Articles----- Definition of Technical Terms----- Delays to Equipment----- Empty Pallet Return----- Escort Service, Charges for----- Export Freight Clearances----- Failure to Accomplish Delivery----- Gross Weight----- Guarantee of Minimum Tonnage----- Issuance of Shipping Documents----- Loss or Damage, Handling of Claims For----- Map of Zones----- Marking or Tagging of Packages----- Minimum Charge----- Minimum Tonnage, Guarantee of----- Mixed Shipments----- Permit Shipments, Charges for----- Pool Shipments----- ** Shipments To Be Rated Separately----- Special C.O.D. Service----- Units of Measurement To Be Observed----- TECHNICAL TERMS, Definition of----- </p>	<p> 110 360 130 142 140 145 250 152 175 10-11 190 235 160 210 180 220 230 240 255 80 260 270 230 320-320.5 170 280-282 300 153 350 10-11 </p>	<p> 18-A 29 19 19 19 19-A 25-A 22 23-A 11-12 24 24-A 23 24 23-A 24 24 25 25-A 18 25 25-A 24 28--28-A 23 26--27-A 28 22-A 29 11-12 </p>

(1) Sixth Revised Page 2-A was suspended by Supplement 27.

♂ Change)
 ** Eliminated) Decision No. **89563**

EFFECTIVE

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

MINIMUM RATE TARIFF 1-B

SECTION 1--RULES (Continued)	ITEM
<p>(1) COLLECTION OF CHARGES</p> <p>..</p> <p>(a) Except as otherwise provided in this rule, transportation and accessorial charges shall be collected by the carriers prior to relinquishing physical possession of shipments entrusted to them for transportation.</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 freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges accruing during a calendar month to those who undertake to pay them, such persons hereinafter being called debtors, and collection thereof made not later than the tenth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight.</p> <p>(c) Where a 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 not later than 12 o'clock midnight of the fifth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight.</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> <p>(1) Will not apply to the transportation of property for the United States, state county or municipal governments.</p>	<p>6145</p>
<p>(2) Third Revised Page 19-A was suspended by Supplement 27.</p> <p>Change) ** Eliminated) Decision No. 89563</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">Item cancelled.</p>	#290
<p>(1) Original Page 27-B was suspended by Supplement 27.</p> <p>Change, Decision No. 89563</p>	
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

CANCELLATION SUPPLEMENT

SUPPLEMENT 41

(Cancels Supplements 36 and 40)
(Supplements 29 and 41 Contain All Changes)

TO
MINIMUM RATE TARIFF 19
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
AGRICULTURAL CARRIERS
AND
DUMP TRUCK CARRIERS

Decision No.

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MINIMUM RATE TARIFF 19

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(1) Twenty-third Revised Page 2 was suspended by Supplement 36.

Change)
 -- Eliminated) Decision No. **89563**

EFFECTIVE

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

Correction

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p>(1) COLLECTION OF CHARGES</p> <p style="text-align: center;">**</p> <p>(a) Except as otherwise provided in this rule, transportation and accessorial charges shall be collected by the carriers prior to relinquishing physical possession of shipments entrusted to them for transportation.</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 freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges accruing during a calendar month to those who undertake to pay them, such persons hereinafter being called debtors, and collection thereof made not later than the tenth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight.</p> <p>(c) Where a 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 in 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 not later than 12 o'clock midnight of the fifth day (excluding Saturdays, Sundays and legal holidays) of the calendar month following the delivery of the freight.</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> <p>(1) Will not apply to the transportation of property for the United States, state, county or municipal governments.</p>	<p>120</p>
<p style="text-align: center;">COLLECTION OF LOSS AND/OR DAMAGE CLAIMS</p> <p>When incidental to transportation by the carrier, a charge of \$7.95 per claim shall be made by the carrier for the service of handling and collection of loss or damage claims against another carrier when the amount involved therein exceeds \$100.00. When the amount involved is \$100.00 or less, one percent of the amount involved shall be charged, subject to a minimum charge of \$1.95.</p>	<p>130</p>
<p style="text-align: center;">HANDLING OF LOSS OR DAMAGE CLAIMS</p> <p>Claims for loss or damage shall be governed by the provisions of General Order No. 139.</p>	<p>135</p>
<p>Change) -- Eliminated) Decision No. 89563</p>	
<p>EFFECTIVE</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

MINIMUM RATE TARIFF 19

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
Item cancelled.	225
<p style="text-align: center;">UNITS OF MEASUREMENT TO BE OBSERVED</p> <p>Rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.</p>	235
<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier. When shipments are delivered to or received from other carriers, each bill of lading, freight bill, dock receipt or dock permit shall be considered as a separate shipment and rated accordingly.</p>	250
<p style="text-align: center;">DELAYS TO EQUIPMENT</p> <p>Delays to equipment exceeding 4 hour at points of origin or destination for which the carrier is not responsible will be charged for at the rate of \$15.85 per hour, minimum charge \$3.95.</p>	260
<p>(2) Twenty-seventh Revised Page 24 was suspended by Supplement 36.</p> <p>Change, Decision No. 89563</p>	
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	