

Decision No. 89704 DEC 1 - 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
 for the purpose of consid-)
 ering 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 Mini-)
 mum Rate Tariff 7-A and the)
 revisions or reissues thereof.)

Case No. 5437
 Petition for Modification
 No. 298
 (Filed March 27, 1978;
 amended July 25, 1978)

Petition for Modification
 No. 299
 (Filed May 17, 1978)

Petition for Modification
 No. 300
 (Filed May 23, 1978;
 amended June 16, 1978)

Petition for Modification
 No. 301
 (Filed June 16, 1978)

SUPPLEMENTAL OPINION AND ORDER

It has come to the Commission's attention that Decision 89597 does not reflect the intent of said decision with respect to the estimated weight per shipment when the actual weight of shipment is not known for shipments in two- or three-axle trucks with transfer-type pull trailer in Item 190 of MRT 7-A.

Pursuant to Resolution A-4661,

IT IS ORDERED that:

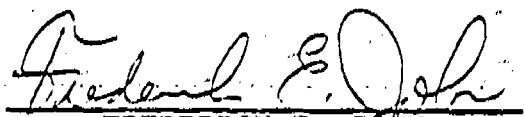
1. Minimum Rate Tariff 7-A (Appendix B to Decision 82061, as amended) is further amended by incorporating therein to become effective December 2, 1978, Fourth Revised Page 18 and Fourth Revised Page 19 attached hereto and by this reference made a part hereof.
2. Tariff publications of common carriers shall be made effective not earlier than December 2, 1978 on one day's notice to the Commission and to the public.

C. 5437, Pet. 298, et al. - FS

3. In all other respects, Decision 82061, 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 1st
day of DECEMBER, 1978.


FREDERICK E. JOHN
Executive Director
Public Utilities Commission
State of California

SECTION 1--RULES (Continued)	ITEM						
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENTS (Concluded)</p> <p>3. When accessorial charges are to be assessed under the provisions of Item 90 to any shipment, additional information shall be supplied as follows:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">(1) Whether truck and transfer trailer combination.</td> <td style="width: 50%;">(3) Rate to be assessed.</td> </tr> <tr> <td>(2) Chargeable time.</td> <td>(4) Charges to be assessed.</td> </tr> <tr> <td></td> <td>(5) Signature of consignee or his agent.</td> </tr> </table> <p>4. In the event that transportation is performed by an underlying carrier, a Combined Shipping Order and Freight Bill (or other document) shall be issued by such underlying carrier to the overlying carrier. Such document must contain all of the above information except the following:</p> <ol style="list-style-type: none"> 1. Name of debtor if other than consignor. 2. Address of debtor if other than consignor. 3. Rate and charges assessed. <p>Two or more copies of the document shall be presented by the underlying carrier to the overlying carrier within seven calendar days of the date transportation is performed, except that they shall be presented no later than three days after the last calendar day of the month (See Note 1).</p> <p>The information not required to be shown by the underlying carrier must be completed on two copies of a Combined Shipping Order and Freight Bill (or other document) by the overlying carrier prior to submission to the debtor for collection.</p> <p>NOTE 1.--When United States mail service is used, the postmark shall be deemed to be the time of presentation of the document.</p> <p>5. The form of shipping documents set forth in Section 5 shall be suitable and proper. However, other forms, including weight tickets, may be utilized provided that all the necessary information is supplied on or with such other forms and all other requirements of this item are completely fulfilled.</p> <p>6. Abbreviations or code numbers, letters, or other similar designations may be used to record information required to be shown on the shipping document provided that all abbreviations or codes are clearly defined on the document or on a separate explanatory sheet. If the definitions are on a separate explanatory sheet, a copy thereof shall be furnished to all parties receiving copies of documents on which said abbreviations and codes are used, and a copy shall be retained with the carrier's copy of the documents relating thereto in accordance with the provisions of paragraph 8. The term carrier as used herein includes both overlying and underlying carriers.</p> <p>7. A copy of each shipping document shall be furnished to the shipper. Also, a copy of each shipping document, 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 any 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>	(1) Whether truck and transfer trailer combination.	(3) Rate to be assessed.	(2) Chargeable time.	(4) Charges to be assessed.		(5) Signature of consignee or his agent.	170
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<p>No change on this page, Decision No. 89704</p>							
EFFECTIVE							
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.							

Correction

ITEM	SECTION 1--RULES (Continued)																											
180	<p style="text-align: center;">UNITS OF MEASUREMENT TO BE OBSERVED</p> <p>(a) 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 rate and charges in this tariff are stated for the type of shipment being rated.</p> <p>(b) Where rates in Section 4 are applicable, zone rates in cents per ton shall be quoted and assessed.</p> <p>(c) If there is no zone rate provided in Section 4, rates in Sections 2 or 3 shall be quoted and assessed.</p>																											
4190	<p style="text-align: center;">METHOD OF DETERMINING WEIGHT OF SHIPMENT</p> <p>Actual weight of the shipment shall be used when furnished by the consignor or when obtained by the carrier enroute at the direction and expense of the debtor and prior to discharge of any portion of the shipment transported.</p> <p>Otherwise charges for distance rates in Section 2 shall be computed upon the basis of the following estimated weights per shipment when loaded in the following types of dump truck equipment:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Type of Dump Truck Equipment:</th> <th colspan="2" style="text-align: center; border-bottom: 1px solid black;">Estimated Weight Per Shipment (In Tons)</th> </tr> <tr> <th></th> <th style="text-align: center; border-bottom: 1px solid black;">(1)</th> <th style="text-align: center; border-bottom: 1px solid black;">(2)</th> </tr> </thead> <tbody> <tr> <td>(a) 2-Axle Truck-----</td> <td style="text-align: center;">10</td> <td style="text-align: center;">(3) 9</td> </tr> <tr> <td>(b) 3-Axle Truck-----</td> <td style="text-align: center;">15</td> <td style="text-align: center;">(3) 11</td> </tr> <tr> <td>(c) 2 or 3-Axle Truck with Transfer Type Pull Trailer-----</td> <td style="text-align: center;">26.2</td> <td style="text-align: center;">18</td> </tr> <tr> <td>(d) 2 or 3-Axle Truck with other than Transfer Type Pull Trailer-----</td> <td style="text-align: center;">24</td> <td style="text-align: center;">18</td> </tr> <tr> <td>(e) 2-Axle Tractor with Semitrailer-----</td> <td style="text-align: center;">20</td> <td style="text-align: center;">15</td> </tr> <tr> <td>(f) 3-Axle Tractor with Semitrailer-----</td> <td style="text-align: center;">24</td> <td style="text-align: center;">18</td> </tr> <tr> <td>(g) 2 or 3-Axle Tractor with Semitrailer and Pull Type Trailer operating in train-----</td> <td style="text-align: center;">26.2</td> <td style="text-align: center;">18</td> </tr> </tbody> </table> <p>(1) Commodities other than subject to (2). (2) Commodities for which rates are provided in Item 330. (3) Exception to Item 200.</p> <p>Otherwise charges for zone rates in Section 4 shall be computed upon the basis of the following estimated weights per cubic yard when loaded in the dump truck equipment:</p> <p>(a) In Southern Territory, 2800 pounds; (b) In Northern Territory: Sand, other than burnt shale sand, 2800 pounds; Commodities described in Item 50, 1200 pounds; Other commodities, 3000 pounds.</p>	Type of Dump Truck Equipment:	Estimated Weight Per Shipment (In Tons)			(1)	(2)	(a) 2-Axle Truck-----	10	(3) 9	(b) 3-Axle Truck-----	15	(3) 11	(c) 2 or 3-Axle Truck with Transfer Type Pull Trailer-----	26.2	18	(d) 2 or 3-Axle Truck with other than Transfer Type Pull Trailer-----	24	18	(e) 2-Axle Tractor with Semitrailer-----	20	15	(f) 3-Axle Tractor with Semitrailer-----	24	18	(g) 2 or 3-Axle Tractor with Semitrailer and Pull Type Trailer operating in train-----	26.2	18
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200	<p style="text-align: center;">MINIMUM CHARGE</p> <p>Except as otherwise provided, the minimum charge per shipment shall be the charge for transporting the following minimum weights at the applicable rate per number of axles per unit of equipment used in the transportation:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; border-bottom: 1px solid black;">No. of Axles</th> <th style="text-align: center; border-bottom: 1px solid black;">Minimum Weight</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">10 tons</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">12 tons</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">23 tons</td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">23 tons</td> </tr> </tbody> </table>	No. of Axles	Minimum Weight	2	10 tons	3	12 tons	4	23 tons	5	23 tons																	
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