

ORIGINAL

Decision No. 89884 JAN 16 1979

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)
fresh or green fruits and vege-)
tables and related items state-)
wide as provided in Minimum Rate)
Tariff 8-A and the revisions or)
reissues thereof.)

Case No. 5438

SUPPLEMENTAL OPINION AND ORDER

Decision 89882 entered today in Case 5432, et al., authorized amendment of Minimum Rate Tariffs 1-B, 2, 7-A, 8-A, 9-B, 14-A, 15 and 19 to cover transportation by agricultural carriers. The decision also provided that Minimum Rate Tariff 8-A should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff 8-A (Appendix B of Decision 85826, as amended) is hereby further amended by incorporating therein, to become effective February 1, 1979, Second Revised Title Page, Second Revised Page 5 and Second Revised Page 6, attached hereto and by this reference made a part hereof.

2. The rates, charges and rules set forth in Minimum Rate Tariff 8-A are established and approved as the just, reasonable and nondiscriminatory minimum rates and charges to be assessed, charged and collected, and the rules to be observed by all agricultural carriers as defined in the Highway Carriers' Act for the transportation of fresh fruits, nuts, vegetables and unprocessed agricultural commodities in carrier's equipment between the points for which rates are provided in said tariff.

3. In all other respects, Decision 85826, as amended, shall remain in full force and effect.

4. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 8-A.

5. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 8-A.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of January, 1979.

Ralph B. Brown
President
Charles W. Howell
Claire J. DeSantis

Commissioners

MINIMUM RATE TARIFF 8-A
(CANCELS MINIMUM RATE TARIFF 8)

NAMING
MINIMUM RATES AND RULES
FOR THE
TRANSPORTATION OF FRESH FRUITS,
FRESH VEGETABLES AND EMPTY
CONTAINERS OVER THE PUBLIC HIGHWAYS
BETWEEN POINTS IN THE STATE OF
CALIFORNIA AS DESCRIBED HEREIN
BY
RADIAL HIGHWAY COMMON CARRIERS
HIGHWAY CONTRACT CARRIERS
AND
AGRICULTURAL CARRIERS

The original tariff contains rates and rules established in Decision No. 85826 in Case No. 5438. Changes will be made by issuing revised or added pages or by issuing supplements.

Expiration date on Agricultural Carriers eliminated, Decision No.

89884 ?

EFFECTIVE FEBRUARY 1, 1979
(Original Tariff Effective July 24, 1976)

Correction

SECTION 1--RULES OF GENERAL APPLICATION	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>BUNKER ICING means placing ice in bunkers or compartments in carrier's equipment, separate or apart from the cargo area thereof, but not including the providing of mechanical means for distributing the cool air, such as fans.</p> <p>**CARRIER means a radial highway common carrier, a highway contract carrier and an agricultural 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, which may be lawfully operated over the public highways without special permit.</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 by land, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment.</p> <p>COMPONENT PART means any part of a shipment separately received by the carrier whether or not such part is separately delivered by the carrier; and any part of a shipment separately delivered by the carrier whether or not such part is separately received by the carrier.</p> <p>CONTAINER ICING means placing ice within the package.</p> <p>DISTANCE TABLE means Distance Table 8 issued by the Commission.</p> <p>DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee, or other party.</p> <p>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>HOLIDAYS means New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Admission Day, Thanksgiving Day and Christmas Day. When such holidays fall on Sunday, the following Monday shall be considered 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>PICKUP AND DELIVERY RATE means the full rate applicable without the deduction authorized by Item 50.</p> <p>POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. (See also Item 50, paragraph 2.)</p> <p>POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation; except that all locations on or along a single packing or shipping shed, and all locations within a radius of 100 yards from a single point, within a single field will be considered as one point of origin. A single plant or shipping area shall include only contiguous property which shall not be deemed separate if intersected only by a public street or thoroughfare.</p> <p>POWER EQUIPMENT means any gasoline, diesel, electric or gas driven equipment including electric powered cranes and lift-truck equipment.</p> <p style="text-align: center;">(Continued)</p>	10
<p style="text-align: center;">** Expiration date on Agricultural Carrier eliminated, Decision No. 89884</p>	
<p>EFFECTIVE FEBRUARY 1, 1979</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

ITEM	SECTION 1--RULES OF GENERAL APPLICATION (Continued)
10	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded)</p> <p>PRODUCE SERVICE SHIPMENT means a quantity of freight transported in one unit of carrier's equipment in one continuous movement not exceeding 48 hours in duration, consisting of one or more component parts delivered to, and/or received from, one or more consignee(s) or consignor(s) at one or more points of origin and/or destination. All shipping instructions and freight charges must be assumed by a single party when there is more than one consignee or consignor, and any oral shipping instructions must be confirmed by a single shipping document not later than 48 hours after final delivery. Applies only to truckload shipments subject to a minimum weight of 30,000 pounds or more.</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. It also includes truck loading facilities of plants or industries located at such rail loading or unloading point.</p> <p>RATE includes charges and, also, the ratings, minimum weight, rules and regulations 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 in an identical type of equipment.</p> <p>SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination.</p> <p>SPLIT PICKUP SHIPMENT means a shipment consisting of several component parts, tendered at one time, received during one day and transported under one shipping document from (a) one consignor at more than one point of origin, or (b) more than one consignor at one or more points of origin, the composite shipment weighing (or transportation charges computed upon a weight of) not less than 4,000 pounds, said shipment being consigned and delivered to one consignee at one point of destination and, except as provided in paragraph 2 of Item 190, all charges thereon being paid by the consignee when there is more than one consignor.</p> <p>SPLIT DELIVERY SHIPMENT means a shipment consisting of several component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, the composite shipment weighing (or transportation charges computed upon a weight of) not less than 4,000 pounds, said shipment being shipped by one consignor on one shipping document at one point of origin at one time and, except as provided in paragraph 2 of Item 190, all charges thereon must be prepaid, and shall be billed to and collected from only one debtor.</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>VEHICLE ICING means placing ice around or over the packages within carrier's equipment.</p> <p style="text-align: center;">(Concluded)</p>
	<p style="text-align: center;">No change on this page, Decision No. 89884 :</p>
	<p style="text-align: right;">EFFECTIVE FEBRUARY 1, 1979</p>
Correction	<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>