

ORIGINAL

Decision No. 49291

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers, highway)
carriers and city carriers relating)
to the transportation of general)
commodities (commodities for which)
rates are provided in Highway)
Carriers' Tariff No. 2).)

Case No. 5432

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 49290, entered today in Appli-
cation No. 32219, the rail lines were authorized to apply a 15
percent surcharge in lieu of a 6 percent surcharge to their carload
commodity rates generally. Certain highway common carriers publish
rates to meet rail competition under the alternative provisions
of outstanding minimum rate orders. They are not permitted to
maintain rates lower than the rail rates.

In the circumstances the highway carriers should be
authorized to make like adjustments in their rail competitive
rates. In view of the fact that the decision authorizing the rail
line increase is being made effective within 10 days, the order
herein will be made effective at the same time and five days'
notice in filing the adjusted rates will be authorized.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that highway common carriers main-
taining, under outstanding authorizations permitting the alterna-
tive use of rail rates, rates below the specific minimum truck
rate levels otherwise applicable be and they are hereby authorized

to increase such rates, on not less than five days' notice to the Commission and to the public, to the level of the rail rates established pursuant to Decision No. 49290 issued today in Application No. 32219, or to the level of the specific minimum truck rates whichever is lower; and that such adjustments shall be made effective not later than thirty days after the effectiveness of the increased rail rates.

IT IS HEREBY FURTHER ORDERED that such carriers be and they are hereby authorized to depart from the provisions of Tariff Circular No. 2, General Order No. 60, Section 460 of the Public Utilities Code and Article XII, Section 21 of the Constitution of the State of California, to the extent necessary to make the adjustments authorized herein.

This order shall become effective ten days after the date hereof.

Dated at San Francisco, California, this 3rd day of November, 1953.

A. F. [Signature]
President
Justin J. [Signature]
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Commissioners