

Decision No. 56852**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
 own motion into the rates, rules,)
 charges, classifications and)
 practices of common carriers of)
 freight for the transportation of)
 articles for which charges are)
 assessed on the basis of volume.)

Case No. 5840

SUPPLEMENTAL ORDER

A petition for modification of Decision No. 56266 in the above-entitled proceeding having been filed by California Trucking Associations, Inc., and the Commission having carefully considered the matter and it being of the opinion that, for purposes of clarification, some modification of said decision is desirable,

IT IS ORDERED that:

1. The fifth paragraph on page 25 (of the mimeographed decision) of Decision No. 56266 be and it is hereby revised to read as follows:

"Based upon the foregoing, we further find, subject to the exception hereinafter stated, that any and all rules presently maintained in tariffs of highway common carriers or of express corporations, which provide for the assessment of transportation charges on the basis of volume (cubic measurement rules) are, and for the future will be, unjust, unreasonable, discriminatory, unduly preferential, and ambiguous, in violation of the Public Utilities Code. We conclude, therefore, that all such rules, except as noted below, should be required to be cancelled. The order which follows will so provide."

2. Decision No. 56266 be and it is hereby further amended by inserting, immediately after said fifth paragraph on page 25 (of the mimeographed decision), the following paragraph:

"The foregoing findings and conclusions are not to be construed as authorizing the payment by carriers

to shippers of reparation on past shipments which have been subjected to any rule embraced by said findings and conclusions."

In all other respects said Decision No. 56266 shall remain in full force and effect.

Dated at San Francisco, California, this 17th day of June, 1958.

John E. Hatcher
President

Ray G. Winter

William J. Pooler

Theodore Jenner

Commissioners