

ORIGINAL

Decision No. 58472

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 household goods carriers, common carriers, highway carriers, and city carriers relating to the transportation of used household goods and related property. ) Case No. 5330

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 4-A exempts therefrom property transported for the United States Government. The use of the word "for" in the exemption has given rise to the argument that shippers other than the United States may negotiate rates in cases where shipments are consigned to the United States.

To set this question at rest, the tariff will be amended so as to exempt "property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services." A similar clarification will be made in the tariff exemption applicable to state, county or municipal governments.

Therefore, good cause appearing,

IT IS ORDERED that Minimum Rate Tariff No. 4-A (Appendix "A" of Decision No. 44919, as amended) is hereby further amended by incorporating therein, to become effective June 19, 1959, Fifth Revised Page 6, which revised page is attached hereto and by this reference made a part hereof.

In all other respects said Decision No. 44919, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 22nd day of May, 1959.

*E. Lynn Fox*  
President  
*W. H. ...*  
*Theodore ...*  
*Ernest ...*  
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL</p> <p>Rates in this tariff apply to transportation of shipments between all points within the State of California.</p>	30
<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>(a) Except as otherwise provided by paragraph (b), rates in this tariff apply to the transportation of the following uncrated property:</p> <p>(1) Used household goods, viz: household or personal effects such as furniture, furnishings, clothing, radios, musical instruments, stoves and refrigerators.</p> <p>(2) Used office and store fixtures and equipment, viz: furniture, furnishings, and equipment such as is used in an office, store, hospital, library, museum, place of learning, or other institution.</p> <p>(b) Rates in this tariff will not apply to the following:</p> <p>(1) Property transported from, to, or between the place, or places, of business of a dealer in or auctioneer of the property described in paragraph (a) hereof, in connection with such business.</p> <p>* (2) Property of the United States, state, county or municipal governments or property transported under an agreement whereby the governments contracted for the carrier's services.</p> <p>(3) Crated property consisting of commodities described in paragraph (a), except when transported in mixed shipments with uncrated property under the provisions of Item No. 120.</p> <p>(4) Baggage, except when transported in mixed shipments with uncrated property under the provisions of Item No. 120</p> <p>(5) Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended.</p>	*40-D Cancels 40-C
<p style="text-align: center;">DUAL OPERATIONS</p> <p>Where highway common carriers, as defined in the Public Utilities Act, are affiliated with radial highway common carriers, as defined in the Highway Carriers' Act, or household goods carriers, as defined in the Household Goods Carriers Act, or where highway common carriers engage radial highway common carriers or household goods carriers, as agents or representatives, the following requirements shall be observed:</p> <p>(a) The operations of each carrier shall be conducted as those of a separate entity.</p> <p>(b) When all of the services desired are offered to the public by one or more of such carriers joint undertakings shall be engaged in only upon the shipper's specific request.</p>	50-B Cancels 50-A

(c) Explanation shall be made to all inquirers, when two or more such carriers provide services between the same points, what services are available and any differences in the character of the service and in the rates therefor.

(d) All documents shall be issued and all records kept on a strictly individual carrier basis.

(e) In respect of the requirements specified in paragraphs (a) to (d), inclusive, and in all other respects, the affairs of each carrier shall be so conducted that there will be no doubt as to which carrier is involved in one-carrier transactions and the nature and extent of individual carrier participation in joint undertakings.

\*Change, Decision No. 58471

EFFECTIVE JUNE 19, 1959

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.

Correction No. 89