

ORIGINAL

64414

Decision No. \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own )  
motion for the purpose of establishing )  
procedural rules governing petitions )  
for suspension and investigation of )  
tariffs and schedules of common car- )  
riers as defined in Division 1 of the )  
Public Utilities Code, Air Transporta- )  
tion Companies, Warehousemen and )  
Wharfingers. )

Case No. 7118

ORDER REVISING REGULATIONS

By Decision No. 62011 dated May 16, 1961, in this proceeding, the Commission established procedural rules to govern petitions seeking the investigation and suspension of proposed tariff schedules of common carriers as defined in Division 1 of the Public Utilities Code, air transportation companies, warehousemen and wharfingers under Section 455 of the Code.

It has been brought to the Commission's attention that certain revisions in General Order No. 113 pertaining to identification of the pleadings, verification of replies and certification of service to interested parties would clarify and expedite the procedural handling of pleadings filed thereunder.

The Commission finds that the general order set forth hereinafter should be adopted. General Order No. 113 will be canceled and superseded by the general order adopted herein. The following order will provide for its adoption. A public hearing is not necessary.

Good cause appearing,

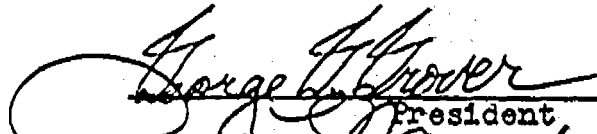
IT IS ORDERED that:

1. General Order No. 113-A, which is attached hereto and by this reference made a part hereof, is hereby adopted to become effective January 1, 1963, superseding General Order No. 113, which is hereby canceled effective January 1, 1963.

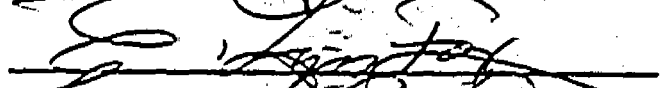
2. The Secretary of the Commission shall serve a copy of this order upon each common carrier, as defined in Division 1 of the Public Utilities Code, and upon each air transportation company, warehouseman, and wharfinger.

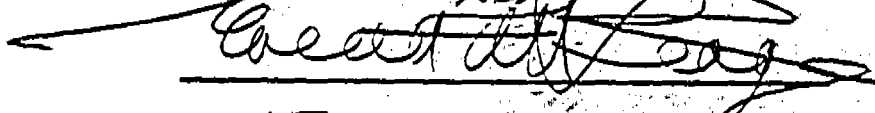
This order shall become effective twenty days after the date hereof.

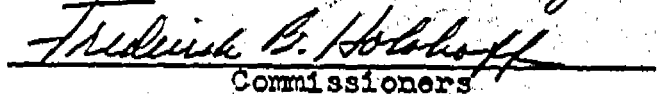
Dated at San Francisco, California, this 15<sup>th</sup> day of October, 1962.

  
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President

  
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Commissioners

GENERAL ORDER NO. 113-A  
(Cancels General Order No. 113)

PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA

RULES GOVERNING PETITIONS FOR SUSPENSION AND  
INVESTIGATION OF TARIFFS AND SCHEDULES OF  
COMMON CARRIERS AS DEFINED IN DIVISION  
1 OF THE PUBLIC UTILITIES CODE, AIR  
TRANSPORTATION COMPANIES,  
WAREHOUSEMEN AND  
WHARFINGERS

Adopted October 16, 1962. Effective January 1, 1963.

Decision No. 64414, Case No. 7118.

RULE 1 - CONTENT, PETITION AND REPLIES. The original of each petition for suspension and investigation of tariffs or schedules and each reply to such petition shall be signed in ink by each party thereto, or by the attorney for or authorized representative of said party, and shall be verified by at least one party. There shall be filed with the Commission an original and twelve conformed copies of each such petition, or amendment thereof, or reply thereto. The petition and the title itself shall identify the protested tariff or schedule by making reference to the publishing carrier or agent, the tariff number, the Cal.P.U.C. number, if any, and to the specific item or particular provisions protested. Reference shall also be made to the tariff or schedule, and the specific provisions thereof, proposed to be superseded. The petition shall state the grounds in support thereof, and indicate in what respect the protested tariff or schedule is considered to be unlawful. Such petitions will be considered as addressed to the discretion of the Commission, and no petition shall include a prayer that it also be considered a formal complaint. Should a petitioner desire to proceed further against a tariff or schedule which is not suspended, or which has been suspended and the suspension vacated, a separate later formal complaint or petition should be filed. Replies to petitions shall include the title of the petition as filed with the Commission and the (I. and S.) case number assigned to said petition by the Commission's Secretary. The original and 12 copies of each petition, amendment or reply thereto shall contain a certification that copies have been served in accordance with Rule 3 hereof, specifying the parties so served.

RULE 2 - WHEN FILED. Petitions requesting suspension of tariffs or schedules will not be considered unless made in writing and filed with the Commission at San Francisco in accordance with the provisions of these rules. Such requests for suspension of rates published on statutory notice shall reach the Commission at least 12 days before the effective dates of the tariffs, schedules, or parts thereof to which they refer. Petitions for suspension of rates published on less than thirty days' notice shall be filed with the Commission as soon as possible, and in no event less than five days prior to the effective dates of the tariffs, schedules, or parts thereof to which they refer. Replies to petitions shall be filed and served within five days after service of the petition for suspension, and not later than the day prior to the effective date of the protested tariff schedule.

RULE 3 - SERVICE. In addition to the original and copies to be filed with the Commission, one copy of each petition shall simultaneously be served upon the carriers concerned or their publishing agent, and upon other persons known to be interested, and one copy of each reply shall be served upon each petitioner or the authorized representative of such petitioner, and upon other persons known to be interested. Service shall be made personally or by the deposit in the United States mail of a sealed envelope with first class postage prepaid, containing a true copy of the documents to be served and addressed to the party to be served at the last known address of such party.

This General Order issued by order made at San Francisco, California, this 11<sup>th</sup> day of October, 1962.

PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA

By R. J. Pajalich, Secretary