

**ORIGINAL**

Decision No. 68102

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
National Motor Freight Traffic Asso- )	
ciation, Inc., Agent, for and on )	
behalf of certain highway common )	Application No. 45582
carriers and express corporations, )	(As Amended)
for authority to cancel participa- )	(Petition for Reopening and
tion in Western Classification No. )	Amendment of Order)
78, and to adopt National Motor )	(Filed August 28, 1964)
Freight Classification A-7. )	

OPINION AND ORDER

The National Motor Freight Traffic Association petitions for reopening and amendment of Decision No. 66268, dated November 5, 1963, in this proceeding which authorized applicant to publish on behalf of certain common carriers, the ratings, rules and regulations of the National Motor Freight Classification A-7, which also became the governing classification for the minimum rate tariffs specified in the decision,<sup>1</sup> not including, Minimum Rate Tariff No. 9-A, applicable within the San Diego Drayage Area.

By Decision No. 67766, dated August 25, 1964, the Commission prescribed and established Minimum Rate Tariff No. 9-B, effective October 3, 1964, canceling Minimum Rate Tariff No. 9-A, and adopting National Motor Freight Classification A-7 (Cal) as governed by National Motor Freight Classification A-7 as the governing classification for Minimum Rate Tariff No. 9-B. This decision did not

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<sup>1</sup> The tariffs are Minimum Rate Tariff No. 2 (General Commodities, Statewide), Minimum Rate Tariff No. 1-B (Eastbay Drayage), City Carriers' Tariff No. 1-A (San Francisco Drayage), Minimum Rate Tariff No. 5 (Los Angeles Drayage), and Minimum Rate Tariff No. 11-A (Uncrated New Furniture).

authorize common carriers who operate between points within the San Diego Drayage Area (as described in Minimum Rate Tariff No. 9-B) to adopt National Motor Freight Classification A-7.

The authority herein sought would enable common carriers operating within the San Diego Drayage Area to apply ratings, rules and regulations which are consistent and uniform with those of a substantial number of such common carriers who also operate between the San Diego Drayage Area and points beyond that area under the ratings, rules and regulations set forth in Classification A-7 pursuant to the authority granted by Decision No. 66268, supra.

The Commission finds that:

1. Decision No. 66268, supra, should be amended to provide that common carriers operating between points within the San Diego Drayage Area (as described in Minimum Rate Tariff No. 9-B) be authorized to adopt National Motor Freight Classification A-7 (Cal) as governed by National Motor Freight Classification A-7, and, to the extent that the establishment of said proposed ratings, rules and regulations will result in increases, said increases are justified.

2. Common carriers referred to and described in Paragraph 1 should be authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations.

The Commission concludes that the application should be granted to the extent set forth in the ensuing order.

IT IS ORDERED that:

1. Decision No. 66268, dated November 5, 1963, in Application No. 45582, as amended, is amended by authorizing National Motor Freight Traffic Association, Inc., Agent, to publish, on behalf of the common carriers named in Application No. 45582, as amended, and operating between points within the San Diego Drayage Area (as described in Minimum Rate Tariff No. 9-B), ratings, rules and regulations named in National Motor Freight Classification A-7 (Cal) as governed by National Motor Freight Classification A-7.

2. Tariff publications resulting in increases required or authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order, on not less than ten days' notice to the Commission and to the public; as to increases which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date of this order; and tariff publications resulting in reductions may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of this order.

3. Common carriers, in establishing and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now

maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

4. In all other respects, said Decision No. 66268 shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 20<sup>th</sup> day of October, 1964.

Frederick B. Holboell  
President  
Paul J. Mitchell  
Everett B. Royle  
George H. Traver  
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.