

ORIGINALDecision No. 69759

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
 Petition No. 27

Filed April 28, 1965
 Amended June 23, 1965

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 and Charles A. Woelfel, for petitioner.
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Orson F. Fair, Robert J. Menne, William W.
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Johnson, James A. Nevil, Clarence C. Lockett,
Thomas R. Travers, Q. J. Driver, Sig Dombrowski,
Daniel E. de Vinc, for various carriers,
 respondents.
Eugene A. Read, for California Manufacturers
 Association; A. D. Poe, J. C. Kaspar and H. F.
Kollmyer, for California Trucking Association,
 interested parties.
Tad Muraoka, I.B.M. Corporation, protestant.
Robert E. Walker and R. J. Carberry, for the
 Commission staff.

O P I N I O N

The minimum rates governing the highway transportation of used household goods and related property are set forth in Minimum Rate Tariff No. 4-B. By this petition, the California Moving & Storage Association, Inc., seeks the establishment of specific increases in the rates and charges contained in said tariff.

Public hearing was held before Examiner Gagnon at San Francisco on July 26, 1965, at which time the matter was taken under submission. Evidence was presented on behalf of petitioner by the Assistant Director, Division of Transportation Economics of the

California Trucking Association. Cost and rate evidence was also presented by the Commission's Transportation Division staff. A representative of the I.B.M. Corporation appeared in opposition to the sought rate adjustment. Such opposition was expressed in the form of a closing statement, noting prior asserted substantive wage offset rate increases. No alternative remedial relief was suggested by protestant.

The most recent general revision in the minimum rates here in issue was established, effective July 15, 1963, by Decision No. 65521 (61 Cal. P.U.C. 94) pursuant to comprehensive cost and rate studies prepared by the petitioner and the Commission staff. The cost and rate evidence which led to the establishment of the current minimum rates, effective May 15, 1965, by Decision No. 68848, reflect operating costs, including wage contracts and allied labor costs in effect as of December 1, 1964. Since that date, the record discloses, the carriers have sustained further increases in labor costs, related payroll additives and in the California fuel tax. These increased costs were not considered by the Commission when the current level of rates were established. Specifically, the cost exhibits of petitioner and the staff reflect cost data as of July 1, 1965 and October 1, 1965, respectively.

The increase in the distance moving costs, as calculated by the petitioner, ranged from 2.7 to 4.4 percent depending upon the particular weight bracket and length of haul involved and whether the movement was subject to Region I or Region II rates. The corresponding increase developed by the staff ranged from 2.1 to 3.2 percent. For local moving at hourly rates, petitioner's calculations indicate cost increases ranging from 2.5 to 4.3 percent, while like computations by the staff reflect increases from 1.5 to 2.8 percent. Hourly

costs for the accessorial services of packing and unpacking within Territory A were estimated to have increased approximately 3 percent by petitioner and staff. In Territory B the corresponding figures were estimated to be about 4 percent.

Increases in the minimum rates and charges are recommended by both the petitioner and the Commission staff. Such proposals assertedly reflect rate increases sufficient only to offset the advances in operating expenses as indicated in the cost studies of record. To accomplish this end, it is proposed that the present level of rates be adjusted by the same relative percentage increases which have occurred in the various levels of operating costs. The increased distance rates thus developed were further modified to the extent necessary to preserve a proper progression of rates.

The rates proposed by the staff are generally lower than the comparable rates sought by petitioner. The higher rate increase sought by petitioner is mainly due to the fact that its initial comprehensive cost development was higher than the corresponding ~~staff~~ full-scale cost study. In Decision No. 65521, the Commission found that the cost information developed by the staff more closely reflected the operating expenses which would be necessarily incurred by reasonably efficient carriers in the transportation of used household goods and related property. In subsequent so-called wage offset proceedings said operating cost estimates, as further adjusted by the staff to give appropriate recognition to upward adjustments in labor and allied costs, were adopted to form the basis upon which to make like offsetting adjustments in the minimum rates. The record indicates that a similar course of action should be pursued in the instant proceeding.

The staff cost witness testified that in the development of current staff fuel costs an increment of one-half cent per gallon was included to cover the temporary one cent per gallon increase in the California fuel tax, which was to expire on December 31, 1965. The staff cost witness stated that there was a possibility that such temporary increase in fuel tax would be cancelled prior to December 31, 1965. Official notice is taken of the fact that, subsequent to submission of the subject petition, the foregoing temporary tax increase was canceled as of August 31, 1965. The corresponding cost factor contained in the staff cost study of record will not, therefore, be considered in any upward adjustment in rates that may hereinafter be adopted.

The staff rate proposal reflects the current operating cost experiences of the used household goods carriers as measured by the adjusted staff cost study and should, with certain minor adjustments, be adopted.

The modifications in the staff rate proposal adopted herein will eliminate the temporary fuel tax cost factor.

Based upon all the facts and circumstances of record, the Commission finds that:

1. The rates and charges established by the order which follows are, and will be for the future, the just, reasonable and nondiscriminatory minimum rates and charges for the transportation of used household goods and related property for which minimum rates have been established in Minimum Rate Tariff No. 4-B.
2. The increases resulting from the establishment of said minimum rates and charges are justified.

We conclude that to the extent provided in the order which follows Petition for Modification No. 27, as amended, in Case No. 5330 should be granted and that in all other respects said petition should be denied.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 4-B (Appendix C of Decision No. 65521, as amended) is further amended by incorporating therein, to become effective November 13, 1965, the revised tariff pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are by this reference made a part hereof.
2. In all other respects the aforesaid Decision No. 65521, as amended, shall remain in full force and effect.
3. Except as otherwise provided in paragraph 1 hereof, Petition for Modification No. 27, as amended, is denied.

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

Dated at San Francisco, California, this 5th day of OCTOBER, 1965.

Fredrick B. Hallock
President

[Signature]

[Signature]

[Signature]

Commissioners

Commissioner George G. Grover did not participate in the disposition of this proceeding.

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A TO DECISION NO. 69759

List of Revised Pages to Minimum Rate Tariff No. 4-B
Authorized by Said Decision

Third Revised Page 9

Third Revised Page 10

Fourth Revised Page 17

Third Revised Page 18

Third Revised Page 26

Third Revised Page 27

Third Revised Page 28

Third Revised Page 29

(END OF APPENDIX A LIST)

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">MIXED SHIPMENTS</p> <p>(a) When one or more commodities for which rates are not provided in this tariff are included in the same shipment with commodities for which rates are herein provided, the rate or rates applicable to the entire shipment may be determined as though all of the commodities were ratable under the provisions of this tariff at the combined weight of the mixed shipment; or the commodities for which rates are provided in this tariff may be transported at the applicable rates provided herein, and the commodities for which rates are not provided herein, at the rates provided in other Commission tariffs or which might be otherwise applicable, provided separate weights or other authorized units of measurement are furnished or obtained. In the event that the latter basis is used, the minimum charges provided in this tariff shall apply to the entire shipment.</p> <p>(b) When any uncrated portion of a shipment of commodities for which rates are herein provided requires protection against damage after receipt thereof by the carrier and such protection is afforded by the carrier by packing such uncrated portion of the shipment in containers, such portion so packed shall be rated as uncrated property.</p>	65
<p style="text-align: center;">APPLICATION OF RATES</p> <p>(a) Rates provided in Items Nos. 300, 320, 330 and 340 are for the transportation of shipments from point of origin to point of destination, from point of origin to point of storage-in-transit, or from point of storage-in-transit to point of destination, and include pickup and delivery, subject to Item No. 75.</p> <p>(b) For transportation of shipments for distances of 50 miles or less, rates shall apply in cents per hour (See NOTE), in cents per piece, or in cents per 100 pounds (Items Nos. 300, 320, 330 and 340 subject to Items Nos. 145, 150 and 155.</p> <p>(c) For transportation in excess of 50 miles, rates in Items Nos. 300 and 320 shall apply, subject to Item No. 55.</p> <p>(d) Rates in Item No. 350 shall apply for the accessorial services of packing and unpacking in the territory in which the service is performed.</p> <p>(e) Item No. 360 provides rates for transportation of empty shipping containers and a basis of charges for the furnishing of shipping containers and packing materials by the carrier.</p> <p style="text-align: center;">NOTE.-The highest rated territory in or through which any service is performed shall determine the applicable hourly rate.</p>	70

PICKUP AND/OR DELIVERY AT OTHER THAN GROUND FLOOR

When shipments are picked up or delivered, or both, at other than ground floor, the following additional charges per pickup or delivery per flight, shall be assessed:

1. At hourly rates (Item No. 330) - No additional charge.
2. At piece rates (Item No. 340) - 79 cents per piece.
3. At distance rates (Items Nos. 300 and 320) - 23 cents per 100 pounds.

075

◇ Increase, Decision No. 69759

EFFECTIVE NOVEMBER 13, 1965

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

Correction No. 48

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">VALUATION</p> <p>(a) Carriers shall secure and shippers are required to state specifically in writing the agreed or declared value of the property to be transported. The agreed or declared value shall be deemed to relate to all services undertaken by the carrier or its agents and to each article separately and not to a shipment as a whole. Except on shipments transported under hourly rates, shippers may declare on specific articles when the separate weights thereof are furnished or obtained, a valuation in excess of the value declared on the shipment as a whole, and each such article must be described and its excess declared value set forth.</p> <p>(b) Declaration of value shall be set forth in the following form: "The agreed or declared value of the property to be transported is hereby specifically stated by the shipper to be not in excess of ___\$ per pound, per article."</p> <p>(c) Property of agreed or declared value in excess of thirty cents per pound shall be subject to rates computed on the bases provided in NOTE 1.</p> <p>NOTE 1.—When declared value exceeds thirty cents per pound but does not exceed fifty cents per pound, add 50% to rates provided in this tariff.</p> <p style="padding-left: 40px;">When declared value exceeds fifty cents per pound, add 100% to rates provided in this tariff.</p>	80
<p style="text-align: center;">DISPOSITION OF FRACTIONS</p> <p>In computing a rate based on a percentage of another rate, the following rule shall be observed in the disposition of fractions:</p> <p>Fractions of less than $\frac{1}{2}$ or .50 of a cent, omit.</p> <p>Fractions of $\frac{1}{2}$ or .50 of a cent or greater, increase to next whole figure.</p>	85
<p style="text-align: center;">DIVERGED SHIPMENTS</p> <p>Charges upon a shipment transported under rates provided in Items Nos. 300 or 320 which has been diverted shall be computed at the applicable rate in effect on date of shipment from point of origin via each point where diversion occurs to final destination, plus an additional charge of \$6.30 for each diversion.</p>	◇90
◇ Increase, Decision No. 69759	
EFFECTIVE NOVEMBER 13, 1965	
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, San Francisco, California</p> <p>Correction No. 49</p>	

Cancel

MINIMUM RATE TARIFF NO. 4-B

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">WAITING OR DELAY</p> <p>When vehicle is held for convenience of the shipper or consignee through no fault of the carrier in connection with shipments moving or to be moved under rates contained in Items Nos. 300 or 320, a charge at the hourly rates provided in Item No. 330 will be assessed for each hour or fraction thereof over one hour.</p>	165
<p style="text-align: center;">SPLIT PICKUP</p> <p>Split pickup service may be accorded subject to the following conditions:</p> <p>(1) The charge for the composite shipment shall be paid by one consignor, consignee, or other interested party.</p> <p>(2) Split delivery service shall not be accorded.</p> <p>(3) In the event a lower aggregate charge results from treating one or more component parts as a separate shipment said charge may be applied.</p> <p>(4) Charges shall be computed as follows: (a) Under hourly rates (Item No. 330). Apply applicable rate for the total time consumed in loading at the point of origin of each component part, and unloading at point of destination, plus double the driving time between each such point. (Total time shall be converted into hours and/or fractions thereof in accordance with the provisions of Item No. 95.) (b) Under distance rates (Items Nos. 300 and 320). Apply the applicable rate to the total weight of the composite shipment for the distance from point of origin of any component part to point of destination via the points of origin of all other component parts, plus an additional charge of \$13.65 for each stop to load between first point of origin and point of destination.</p>	0170
<p>◇. Increase, Decision No. 69759</p>	
<p>EFFECTIVE NOVEMBER 13, 1965</p>	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California</p>	
<p>Correction No. 50</p>	

SECTION NO. 1 - RULES AND REGULATIONS (Continued)

Item
No.

SPLIT DELIVERY

Split delivery service may be accorded subject to the following conditions:

- (1) The charge for the composite shipment shall be paid by one consignor, consignee, or other interested party.
- (2) Split pickup service shall not be accorded.
- (3) In the event a lower aggregate charge results from treating one or more component parts as a separate shipment said charge may be applied.
- (4) Charges shall be computed as follows:

(a) Under hourly rates (Item No. 330). Apply applicable rate for the total time consumed in loading at point of origin and unloading at point of destination of each component part, plus double the driving time between each such point. (Total time shall be converted into hours and/or fractions thereof in accordance with the provisions of Item No. 95.)

(b) Under distance rates (Items Nos. 300 and 320). Apply the applicable rate to the total weight of the composite shipment for the distance from point of origin to point of destination of any component part via the points of destination of all other component parts, plus an additional charge of \$13.65 for each stop to unload between point of origin and final point of destination.

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STORAGE IN TRANSIT (See NOTE 1)

Shipments may be stored once in transit for a period not to exceed 60 days from the date of unloading at storage point. (See NOTE 2)

Charges shall be computed on the following basis:

- (a) The applicable transportation rate from initial point of origin to point of storage, plus
- (b) The applicable transportation rate from point of storage to point of destination, plus
- (c) Warehouse handling and storage charge of 65 cents per 100 pounds for each 30-day period or fraction thereof, subject to a minimum charge of \$3.15 for each thirty-day period.

180

NOTE 1.-On shipments subject to hourly rates both into and out of point of storage in transit the weight of the shipment for purposes of determining the storage-in-transit charge may be estimated by multiplying the total cubic feet of storage space occupied by the shipment on the warehouse platform or in the warehouse by 7 pounds per cubic foot.

NOTE 2.-In the event a shipment remains in storage in excess of 60 days, the point of storage in transit shall be considered the point of destination and thereafter shall be subject to the rules, regulations and charges of the individual warehouseman. Charges for subsequent delivery shall be assessed on the basis of the charges applicable from point of storage to point of delivery.

◇ Increase, Decision No. 69759

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Correction No. 51

SECTION NO. 3 - RATES							Item No.
Distance Rates in Cents Per 100 Pounds (1)(2)(3)(4)							
Rates named in this item apply only to shipments transported between points located within Region 1. (See NOTE)							
Miles Over	But Not Over	Any Quantity	Minimum Weight				
			1,000 Pounds	2,000 Pounds	5,000 Pounds	8,000 Pounds	
0	10	865	560	430	355	320	
10	20	875	570	435	360	325	
20	30	885	580	440	365	330	
30	40	895	595	445	370	335	
40	50	905	605	450	375	340	
50	60	915	620	455	380	345	
60	70	925	630	460	385	350	
70	80	935	640	465	390	355	
80	90	945	650	470	395	360	
90	100	955	660	475	400	365	
100	120	970	680	490	405	375	
120	140	985	700	500	415	385	
140	160	1005	720	510	425	395	
160	180	1020	740	520	435	405	
180	200	1035	760	530	445	415	0300
200	225	1065	780	550	465	430	
225	250	1085	800	565	475	440	
250	275	1105	820	580	485	450	
275	300	1125	840	595	495	460	
300	325	1145	855	610	505	470	
325	350	1170	870	625	515	485	
350	375	1190	885	640	530	500	
375	400	1210	900	655	545	515	
400	425	1230	915	670	560	530	
425	450	1250	930	685	575	545	
450	475	1270	945	700	590	555	
475	500	1290	960	715	605	565	
500	550	1325	980	740	630	590	
550	600	1350	1000	760	655	615	
600	650	1375	1025	785	680	635	
650	700	1400	1050	810	705	660	
700	750	1425	1075	835	730	685	
750	800	1450	1100	860	755	710	
800	850	1475	1125	885	780	735	
850	-						

oAdd to rate for 850 miles 25 cents per 100 pounds for each 50 miles or fraction thereof in excess of 850 miles.

- (1) Minimum charge - the charge for 100 pounds at the applicable rate.
- (2) See Item No. 70 for application of rates.
- (3) See Item No. 50 for computation of distances.
- (4) See Item No. 220 for Region descriptions.

NOTE.-Rates named in this item apply in connection with split pickup and split delivery shipments only when points of origin and points of destination of all component parts of such shipments are located within Region 1. Rates named in Item No. 320 shall apply to split pickup and split delivery shipments excluded from the provisions of this item.

◇ Increase, except as noted) ○ No Change)	Decision No. 69759
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Correction No. 52

SECTION NO. 3 - RATES (Continued)							Item No.
Distance Rates in Cents Per 100 Pounds (1)(2)(3)(4)							
Rates named in this item apply only to shipments transported between points located within Region 2; and between points located in Region 1, on the one hand, and points located in Region 2, on the other hand.							
Miles Over	But Not Over	Any Quantity	Minimum Weight				Item No.
			1,000 Pounds	2,000 Pounds	5,000 Pounds	8,000 Pounds	
0	10	870	560	430	360	325	
10	20	880	570	435	365	330	
20	30	890	580	440	370	335	
30	40	900	590	445	375	340	
40	50	910	600	450	380	345	
50	60	920	615	455	385	350	
60	70	930	620	465	390	355	
70	80	940	645	475	395	360	
80	90	950	660	485	400	365	
90	100	960	675	495	405	370	
100	120	980	690	510	425	380	
120	140	1000	710	525	440	395	
140	160	1020	730	540	455	405	
160	180	1040	750	555	470	420	
180	200	1060	770	570	485	435	
200	225	1085	800	595	505	455	
225	250	1110	825	615	520	475	
250	275	1135	850	635	535	495	
275	300	1160	875	655	550	515	
300	325	1185	900	675	570	535	6320
325	350	1210	920	695	590	555	
350	375	1235	940	715	610	575	
375	400	1260	960	735	630	595	
400	425	1285	980	755	650	615	
425	450	1310	1000	775	670	635	
450	475	1335	1025	795	690	655	
475	500	1360	1050	815	710	670	
500	550	1395	1090	850	745	700	
550	600	1430	1130	885	780	735	
600	650	1465	1160	915	810	770	
650	700	1500	1200	950	845	805	
700	750	1535	1235	985	880	840	
750	800	1570	1270	1020	915	875	
800	850	1605	1305	1055	950	910	
850	-						

oAdd to rate for 850 miles 35 cents per 100 pounds for each 50 miles or fraction thereof in excess of 850 miles.

- (1) Minimum charge - the charge for 100 pounds at the applicable rate.
- (2) See Item No. 70 for application of rates.
- (3) See Item No. 50 for computation of distances.
- (4) See Item No. 220 for Region descriptions.

o Increase except as noted } Decision No. 69759
o No Change }

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San Francisco, California.
Correction No. 53

SECTION NO. 3 - RATES (Continued)		Item No.															
<p>RATES IN CENTS PER HOUR (1)(2) (APPLIES FOR DISTANCES OF 50 CONSTRUCTIVE MILES OR LESS)</p>																	
	<p><u>TERRITORY (3)</u></p> <p>A B</p>																
Unit of Equipment:		0330															
(a) with driver	975 855																
(b) with driver and 1 helper	1680 1435																
Additional helpers, per man	650 485																
Minimum charge - the charge for one hour.																	
(1) See Item No. 70 for application of rates.																	
(2) See Item No. 95 for computation of time.																	
(3) See Item No. 210 for territorial descriptions.																	
<p>DISTANCE RATES IN CENTS PER PIECE (1)(2) (APPLIES TO SHIPMENTS OF NOT MORE THAN 5 PIECES FOR DISTANCES OF 50 MILES OR LESS)</p>																	
<table border="1" style="margin: auto;"> <thead> <tr> <th colspan="3" style="text-align: center;">FIRST PIECE</th> <th rowspan="2" style="text-align: center;">Each Additional Piece</th> </tr> <tr> <th colspan="3" style="text-align: center;">MILES (3)</th> </tr> <tr> <th style="text-align: center;">Not Over 10</th> <th style="text-align: center;">Over 10 but Not Over 20</th> <th style="text-align: center;">Over 20</th> <th></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">870</td> <td style="text-align: center;">1630</td> <td style="text-align: center;">2230</td> <td style="text-align: center;">300</td> </tr> </tbody> </table>			FIRST PIECE			Each Additional Piece	MILES (3)			Not Over 10	Over 10 but Not Over 20	Over 20		870	1630	2230	300
FIRST PIECE			Each Additional Piece														
MILES (3)																	
Not Over 10	Over 10 but Not Over 20	Over 20															
870	1630	2230	300														
(1) See Item No. 70 for application of rates.		0340															
(2) Rates in this item will not apply to split pickup or split delivery shipments, or storage in transit privileges.																	
(3) See Item No. 50 for computation of distances.																	
◇ Increase, Decision No. 69759																	
EFFECTIVE NOVEMBER 13, 1965																	
<p>Issued by Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 54</p>																	

SECTION NO. 3 - RATES (Concluded)		Item No.	
ACCESSORIAL RATES			
Rates in Cents per Man per Hour(1)(2)(3)			
	TERRITORY(4)		
	A	B	
Packing) Unpacking)	745	620	0350
Minimum Charge - the charge for one hour.			
<p>(1) See Item No. 70 for application of rates.</p> <p>(2) See Item No. 95 for computation of time.</p> <p>(3) Rates do not include cost of materials.(See Item No. 360.)</p> <p>(4) See Item No. 210 for description of territories.</p>			
RATES AND CHARGES FOR PICKING UP OR DELIVERING SHIPPING CONTAINERS AND PACKING MATERIALS			
<p>1. In the event new or used shipping containers, including wardrobes, are delivered by the carrier, its agents, or employees, prior to the time shipment is tendered for transportation, or such containers are picked up by the carrier, its agents or employees subsequent to the time delivery is accomplished, the following transportation charges shall be assessed: (See NOTE 1)</p> <p style="padding-left: 40px;">Each container, set up -----0145 cents Each bundle of containers, folded flat--0145 cents Minimum charge, per delivery-----665 cents</p> <p>2. (a) Shipping containers, including wardrobes (See NOTE 2) and packing materials which are furnished by the carrier at the request of the shipper will be charged for at not less than the actual original cost to the carrier of such materials, F.O.B. carrier's place of business.</p> <p>(b) In the event such packing materials and shipping containers are returned to any carrier, participating in the transportation thereof when loaded, an allowance may be made to the consignee or his agent of not to exceed 75 percent of the charges assessed under the provisions of paragraph 2(a).</p>		0360	

NOTE 1.-If the hourly rates named in Item No. 330 provide a lower charge than the charge in paragraph 1 of this item such lower charge shall apply.

NOTE 2.-No charge will be assessed for wardrobes on shipments transported at the rates provided in Item No. 330.

◇ Increase, except as noted) Decision No. 69759
○ No Change)

EFFECTIVE NOVEMBER 13, 1965

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Correction No. 55