

Decision No. 71639**ORIGINAL**

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 common carriers, highway carriers and city carriers relating to the transportation of cement and related products (commodities for which rates are provided in Minimum Rate Tariff No. 10).

Case No. 5440
(Petition for Modification
No. 26)

SECOND SUPPLEMENTAL OPINION AND ORDER

Decision No. 70028, dated November 30, 1965, in this proceeding established a surcharge of one cent per 100 pounds as an interim increase in the rates in Minimum Rate Tariff No. 10, subject to an expiration date of October 1, 1966.

Said decision also directed the Commission's Transportation Division staff "to complete the studies which are necessary for a revision of the tariff, distribute the studies to known interested parties and report to the Commission when this has been accomplished in order that hearings may be scheduled for about August 1, 1966."

By a pleading filed July 20, 1966, the staff requested that the Commission extend the time originally set for completion of staff studies, as set forth in Decision No. 70028, to on or about October 1, 1966, and that the interim rate increase established by the Commission in Decision No. 70028 be continued in effect to December 31, 1966. Said action was taken by Decision No. 71216, dated August 30, 1966.

It now appears that staff studies directed by the Commission will be completed and in the hands of interested parties about

December 12, 1966. A decision thereon cannot be issued prior to the date the interim rate increase is scheduled to expire (December 31, 1966).

The Commission finds that the interim increase in cement rates established by Decision No. 70028 and extended by Decision No. 71216 should be further extended to June 1, 1967, and concludes that Minimum Rate Tariff No. 10 should be amended accordingly. Hearings in Petition No. 26 will be scheduled for receipt of the staff studies as soon as practicable after November 25, 1966.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix A of Decision No. 44633, as amended) is further amended by incorporating therein, to become effective December 31, 1966, Supplement No. 5 attached hereto and by this reference made a part hereof.

2. Tariff publications required 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 and shall be made effective not later than December 31, 1966.

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 the aforesaid Decision No. 44633, as amended, shall remain in full force and effect.

The effective date of this order shall be ten days after the date hereof.

Dated at San Francisco, California, this 29th day of NOVEMBER, 1966.

President
George T. Grover

Fredrick B. Hildhoff

William W. Quinn

Commissioners

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

SPECIAL INCREASE SUPPLEMENT

SUPPLEMENT NO. 5
(Cancels Supplement No. 3)
(Supplements Nos. 1, 4 and 5 Contain All Changes)
TO
MINIMUM RATE TARIFF NO. 10

NAMING
DISTANCE MINIMUM RATES
ALSO
RULES AND REGULATIONS
FOR THE
TRANSPORTATION OF CEMENT AND OTHER
COMMODITIES OVER THE
PUBLIC HIGHWAYS
WITHIN THE
STATE OF CALIFORNIA

BY
CITY CARRIERS
RADIAL HIGHWAY COMMON CARRIERS
HIGHWAY CONTRACT CARRIERS
AND
CEMENT CONTRACT CARRIERS

◇(1) APPLICATION OF SURCHARGE

Determine the applicable rate per 100 pounds from Section No. 2 and increase the rate so determined by one cent per 100 pounds.

◇(1) Expires with June 1, 1967, unless sooner canceled, changed or extended.

EFFECTIVE DECEMBER 31, 1966

◇ Change }
◇ Increase } Decision No. 71639

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California