

ORIGINAL

Decision No. 77728

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 any and all commodities between and within all points and places in the State of California (including, but not limited to transportation for which rates are provided in Minimum Rate Tariff No. 2).

Case No. 5432
(Petition for Modification
No. 582)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 77592 dated August 11, 1970, in the above proceeding, the Commission granted increases, effective September 19, 1970, in the minimum rates and charges named in Minimum Rate Tariff No. 2 governing the statewide transportation of certain commodities which are accorded temperature control service.

Through inadvertence, the Column A rate of 450 cents in Item 187-3 of Minimum Rate Tariff No. 2 for a particular shipment exclusive of temperature control service was converted under Column C opposite thereto to 418 cents rather than 518 cents in determining the rate for the shipment inclusive of frozen temperature control service.

In the circumstances, it appears, and the Commission finds, that the necessary correction should be made by the order herein and that common carriers should be authorized to publish the higher rate on less-than-statutory notice. A public hearing is not necessary. The Commission concludes that Decision No. 77592, supra, should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein, to become effective September 19, 1970, First Revised Page 22-H attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 31606, as amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff No. 2 are authorized to increase such rates by the same amount authorized for Minimum Rate Tariff No. 2 rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff No. 2 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 2 are authorized to increase said rates by the same amount authorized for Minimum Rate Tariff No. 2 rates herein.

5. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 2 are authorized to increase said rates by the same amount authorized for Minimum Rate Tariff No. 2 rates herein.

6. Tariff publications required or authorized to be made by common carriers as a result of the order herein shall be filed to become effective September 19, 1970, on not less than one day's

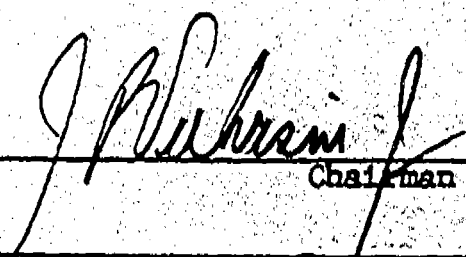
notice to the Commission and to the public; and as to tariff publications which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date hereof.

7. 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.

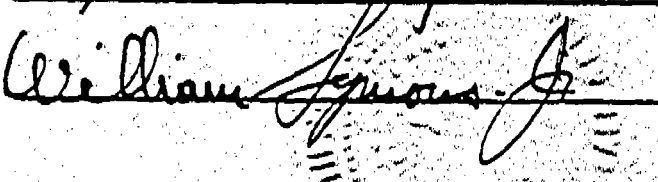
8. In all other respects Decision No. 31606, as amended, shall remain in full force and effect.

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

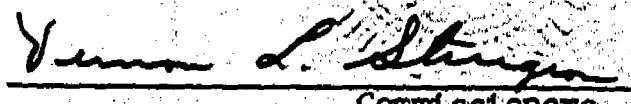
Dated at Los Angeles, California, this 15th day of September, 1970.



Chairman



Commissioners



Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

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Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES OF GENERAL APPLICATION (Continued)

ITEM

TEMPERATURE CONTROL SERVICE
CONVERSION TABLE (See Note 1) (Concluded)
(Applies only when specific reference is made hereto.)
(Items 187, 187-1, 187-2 and 187-3)

(Rates in cents)

Col. A	Col. B	Col. C	Col. A	Col. B	Col. C	Col. A	Col. B	Col. C	Col. A	Col. B	Col. C	Col. A	Col. B	Col. C
400	440	460	420	462	483	440	484	506	460	506	529	480	528	552
401	441	461	421	463	484	441	485	507	461	507	530	481	529	553
402	442	462	422	464	485	442	486	508	462	508	531	482	530	554
403	443	463	423	465	486	443	487	509	463	509	532	483	531	555
404	444	465	424	466	488	444	488	511	464	510	534	484	532	557
405	446	466	425	468	489	445	490	512	465	512	535	485	534	558
406	447	467	426	469	490	446	491	513	466	513	536	486	535	559
407	448	468	427	470	491	447	492	514	467	514	537	487	536	560
408	449	469	428	471	492	448	493	515	468	515	538	488	537	561
409	450	470	429	472	493	449	494	516	469	516	539	489	538	562
410	451	472	430	473	495	450	495	518	470	517	541	490	539	564
411	452	473	431	474	496	451	496	519	471	518	542	491	540	565
412	453	474	432	475	497	452	497	520	472	519	543	492	541	566
413	454	475	433	476	498	453	498	521	473	520	544	493	542	567
414	455	476	434	477	499	454	499	522	474	521	545	494	543	568
415	457	477	435	479	500	455	501	523	475	523	546	495	545	569
416	458	478	436	480	501	456	502	524	476	524	547	496	546	570
417	459	480	437	481	503	457	503	526	477	525	549	497	547	572
418	460	481	438	482	504	458	504	527	478	526	550	498	548	573
419	461	482	439	483	505	459	505	528	479	527	551	499	549	574
												500	550	575
												(1)	(2)	

* 187-3

- (1) For rates over 500 cents and other rates (exclusive of the service of temperature control) not provided for herein, increase such rates by 10 percent for Chilled Temperature Control Service. (See Note 2)
- (2) For rates of over 500 cents and other rates (exclusive of the service of temperature control) not provided for herein, increase such rates by 15 percent for Frozen Temperature Control Service. (See Note 2)

NOTE 1.--The rates named herein apply to temperature control service only. For application of conversion table and rates, see Items 185 and 185-1.

NOTE 2.--When fractional rates are produced in the computation of the increased rate or rates, the following will govern the disposition of fractions:
(a) Fractions of less than $\frac{1}{4}$ or .50 of a cent, omit;
(b) Fractions of $\frac{1}{4}$ or .50 of a cent or greater, increase to the next whole figure.

* Addition)
o Increase)

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EFFECTIVE SEPTEMBER 19, 1970

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
SAN FRANCISCO, CALIFORNIA.

Correction 2326