

Decision No. 78696

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 household goods carriers,)
common carriers, highway carriers,)
and city carriers, relating to)
the transportation of used house-)
hold goods and related property.)

Case No. 5330

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 4-B (MRT 4-B) names minimum rates and rules for the transportation of used household goods and related property between points in California by radial highway common, highway contract and household goods carriers. Item 30 of MRT 4-B provides that any of such carriers doing business under one or more fictitious names shall comply with Division 3, Part 4, Title X, Chapter II of the Civil Code. These statutory provisions were repealed by Statutes 1970, Chapter 618, and the new fictitious name requirements as set forth in Chapter 5 of Part 3 of Division 7 of the Business and Professions Code will become operative July 1, 1971.

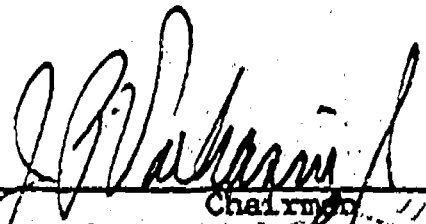
In the circumstances, the Commission finds that the aforementioned statutory changes should be reflected in the fictitious name requirements of the tariff. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff No. 4-B should be amended accordingly.


IT IS ORDERED that Minimum Rate Tariff No. 4-B (Appendix C of Decision No. 65521, as amended) is further amended by incorporating therein, to become effective July 1, 1971, Second Revised Page 7, attached hereto and by this reference made a part hereof.

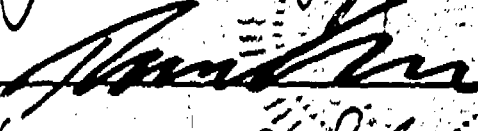
In all other respects Decision No. 65521, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty-four days after the date hereof.


Dated at San Francisco, California, this 18th day of May, 1971.



Chairman




Veron L. Sturgeon



Commissioners

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">RELATIONSHIPS WITH THE PUBLIC</p> <p>61. Any carrier doing business under one or more fictitious names shall, with respect to each fictitious name comply with Chapter 5 of Part 3 of Division 7 of the Business and Professions Code of California entitled, "Fictitious Business Names" (and subsequent amendments thereto), and to show compliance therewith such carrier shall file with this Commission certified copies of fictitious business name statements and affidavits of publication required to be filed with the clerk of the county in which the principal place of the carrier is, or in the case of cessation of doing business was, situated.</p> <p>62. Upon abandonment of use of fictitious business name, any carrier doing business under one or more fictitious names shall file with this Commission a statement of abandonment of use of fictitious business name.</p> <p>3. Carriers shall show the following information on their stationery, shipping documents and related forms:</p> <ul style="list-style-type: none">(a) All names, both real and fictitious, used by the carrier in conducting its operations.(b) The address of its principal place of business, designated as such, and of such local offices as may be desired where business with the public is conducted.(c) Identification of the name under which the particular transportation is performed where more than one name is listed. <p>4. The books of account of each carrier shall be maintained in such form as to show separately the revenues derived from the operations conducted under each name used by such carrier.</p> <p>5. Carriers listing more than one name in the classified section of a telephone directory shall cross-reference each such name to all other such names so listed.</p> <p>6. Carriers shall not advertise rates in any telephone directory.</p> <p>7. Carriers shall not, in any manner, misrepresent the scope of their services which are offered and made available to the public. Specifically carriers shall:</p> <ul style="list-style-type: none">(a) Not advertise or otherwise represent themselves under any name different from that under which their effective permits are issued by the Commission. <p style="margin-left: 40px;">EXCEPTION.--Carriers who are duly authorized agents for other carriers as defined herein, for highway common carriers as defined in the Public Utilities Act, or for motor carriers operating under the jurisdiction of the Interstate Commerce Commission, may advertise and represent themselves as such an agent.</p>(b) Not advertise or otherwise represent that carrier operations are conducted at addresses or locations where the carrier or his duly authorized agent does not maintain a place of business. The location of a telephone answering service is not "a place of business" as such term is used in this item.(c) Not include in any advertising misleading description and displays of nonexistent facilities. <p>8. When a shipper is furnished a copy of either of the estimate forms provided by Item 32 (b) and (c), the carrier shall concurrently furnish to the shipper an informational summary to be entitled "Important Notice to Shippers of Household Goods." If such estimate forms are not furnished, the shipper shall be furnished a copy of the informational summary not later than commencement of the loading of the shipment. The forms specified in Section 4 will be suitable and proper.</p>	630
6 Change, Decision No. 78696	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	
Correction	