

Decision No. 79000

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 car-)
riers and city carriers relating to)
the transportation of property within)
San Diego County (including trans-)
portation for which rates are provided)
in Minimum Rate Tariff No. 9-B).)

Case No. 5439
(Petition for Modifica-
tion No. 123)

SUPPLEMENTAL OPINION AND ORDER

By Decisions Nos. 77929 and 77931 dated November 10, 1970, in the above proceeding, the Commission authorized amendments of Minimum Rate Tariff 9-B (MRT 9-B) to reflect more closely the governing provisions of National Motor Freight Classification A-11 (Governing Classification).

Through inadvertence, the amendment did not include specific provisions for applying the truckload rates in MRT 9-B to shipments that are subject to ratings in the Governing Classification which are lower than Class 50.

In the circumstances, it appears, and the Commission finds, that the necessary correction should be made by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 9-B should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective September 18, 1971, Tenth Revised Page 18 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. 67766, as amended, are hereby directed to establish in their tariffs the amendment necessary to conform with the adjustment ordered herein.

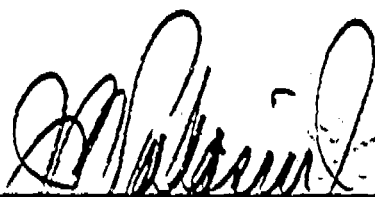
3. Tariff publications required or authorized to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the tenth day after the effective date of this order, on not less than ten days' notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than September 18, 1971; 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 of this order.

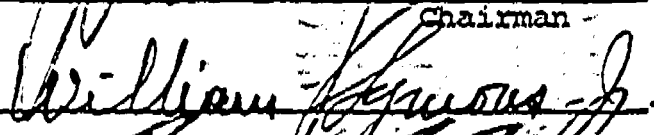
4. Common carriers, in establishing and maintaining the amendment authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the amendment published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

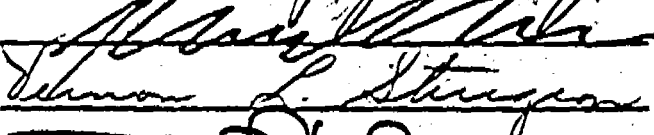
5. In all other respects Decision No. 67766, as amended, shall remain in full force and effect.


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

Dated at San Francisco, California, this 10th day of August, 1971.



Chairman


William F. Jones


Thomas L. Sturgeon


Commissioners

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">RATINGS (Exception to Sec. 2 of Item 997 of the Governing Classification)</p> <p>Except as otherwise provided in this tariff, class rates contained in Section 2 are subject to any quantity, less truckload and truckload ratings (including minimum weights) as shown in the Governing Classification and Exception Ratings Tariff. (See Exception)</p> <p>EXCEPTION.--When the truckload minimum weight provided in connection with ratings in the Governing Classification or Exception Ratings Tariff exceeds 40,000 pounds, the minimum weight shall be considered as being 40,000 pounds for the purpose of applying rates in Section 2 of this tariff.</p>	60
<p style="text-align: center;">APPLICATION OF CLASS RATES THAT ARE PERCENTAGES, MULTIPLES OR PROPORTIONS OF SPECIFIC CLASS RATINGS</p> <p>Class ratings which are based on percentages, multiples or proportions of Class 100 or other specified class ratings are not restricted in their application solely to the minimum class rates in the any quantity weight brackets but will apply in connection with the minimum weight brackets set forth in this tariff applicable to the shipment transported.</p>	70
<p style="text-align: center;">APPLICATION OF GOVERNING PUBLICATIONS</p> <p>(a) This tariff is governed to the extent shown herein by:</p> <p>(1) The Governing Classification, except that this tariff is subject to the following rules (items) only thereof:</p> <p>110, Sections 1, 3(a), 3(b), 3(c), 3(d), 4, 4(a), 4(b), 5, 6(a), 6(b), 6(c), 7, 7(a), 7(b), 7(c), 7(d), 8, 9, 10, 11(a), 11(b), 11(c), 12, 12(a), 12(b), 12(c), 12(d), 12(e), 12(f), 13(a), 13(b), 13(c), 14, 15, 15(a), 15(b), 15(c), 15(d), and 16;</p> <p>200; 205; 210; 215; 220; 222; 225; 230; 235; 240; 245; 250; 255; 257; 260; 265; 270; 275; 280; 285; 291; 292; 294; 296; 297; 300; 310;</p> <p>360, Sections 1, 1(a), 1(b), 1(c), 1(d), 1(h), 2, 2(a), 2(b), 2(c), 2(d), 3, 4, 4(a), 4(b), and 5;</p> <p>370; 381; 420, Sections 1, 2, 4 and 5; 421; 422; 423; 424; 426; 428, Section 2;</p> <p>430, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11(a), 11(b), and 13;</p> <p>455; 520; 535; 540; 565; 595; 640; 645; 680; 685; 687; 689; 765; 780, Section 2; 845; 995; 997 (Section 2 only).</p> <p>(2) Sections 2-A, 2-C and 2-D only of the Exception Ratings Tariff.</p> <p>(3) The Dangerous Articles Tariff (California Regulations).</p> <p>(4) The Distance Table (territorial descriptions only - see Item 30 herein).</p> <p>(b) Where the ratings and rules or other provisions or conditions provided in the governing publications described in paragraph (a) are in conflict with those provided in this tariff, the provisions of this tariff will apply.</p> <p>(c) Except as otherwise specifically provided in this tariff, where the provisions of the Dangerous Articles Tariff are in conflict with the provisions set forth in this tariff or the otherwise governing publications referred to in paragraph (a), the provisions of the Dangerous Articles Tariff will apply.</p> <p>*(d) Except as otherwise provided in this tariff, shipments subject to truckload ratings lower than Class 50 will be subject to rates provided for Class 50.</p>	80
<p>∂ Change) * Addition) Decision No. 79000</p>	
EFFECTIVE	
<p>Correction</p>	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA