

ORIGINAL

Decision No. 81236

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  
Order Setting Hearing 68

SUPPLEMENTAL INTERIM OPINION AND ORDER

By Decision No. 81138, dated March 13, 1973, in the above proceeding, the Commission authorized certain amendments in the rules in Minimum Rate Tariff 4-B (MRT 4-B) governing the estimating practices of household goods carriers.

It has come to the Commission's attention that, through inadvertence, certain provisions were omitted from the tariff pages appended to Decision No. 81138 and other provisions were incorrectly set forth therein.<sup>1</sup>

In the circumstances, the Commission finds that the necessary corrections should be made by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 4-B should be amended accordingly.

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<sup>1</sup>The effective date of "April 15, 1973," in the tariff pages appended to Decision No. 81138 should be "April 21, 1973." The provisions pertaining to the filing by carriers of reports of underestimates were omitted from Item 31.1 of MRT 4-B. The size of print required for certain document forms as set forth in paragraphs 1, 5 and 1(h) of Items 31, 32 and 33.7, respectively, of MRT 4-B should be 10 point bold, universe or Gothic, instead of 3/16 inch high as provided in said items.

IT IS ORDERED that:

1. Minimum Rate Tariff 4-B (Appendix C of Decision No. 65521, as amended) is further amended by incorporating therein, Supplement 18 to become effective April 15, 1973, and Fourth Revised Page 7-A, Sixth Revised Page 7-B, First Revised Page 7-BB and First Revised Page 7-BBB, to become effective April 21, 1973, which supplement and pages are 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. 65521, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

3. Tariff publications required 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 first day after the effective date of this order, on not less than one day's notice to the Commission and to the public, and shall be made effective not later than April 21, 1973.

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

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd day of April, 1973.

Vernon L. Sturgeon  
President  
William Synovitz  
Richard J. ...  
...  
Commissioners

SUPPLEMENT 18  
(SUPPLEMENTS 17 AND 18 CONTAIN ALL CHANGES)

TO

MINIMUM RATE TARIFF 4-B

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF USED PROPERTY, VIZ.:

HOUSEHOLD GOODS, PERSONAL EFFECTS AND

OFFICE, STORE AND INSTITUTION FURNITURE,

PICTURES AND EQUIPMENT OVER THE

PUBLIC HIGHWAYS WITHIN THE

STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

HOUSEHOLD GOODS CARRIERS

NOTICE OF CHANGE IN EFFECTIVE DATE OF TARIFF PAGES

The effective date of the following tariff pages shall be April 22, 1973:

SIXTH REVISED PAGE 2  
SECOND REVISED PAGE 2-A  
SIXTH REVISED PAGE 4  
FOURTH REVISED PAGE 7  
THIRD REVISED PAGE 7-A  
FIFTH REVISED PAGE 7-B  
ORIGINAL PAGE 7-BB  
ORIGINAL PAGE 7-BBB  
SEVENTH REVISED PAGE 9  
FIRST REVISED PAGE 11  
THIRD REVISED PAGE 13  
ORIGINAL PAGE 13-A

THIRD REVISED PAGE 31  
ORIGINAL PAGE 31-A  
FOURTH REVISED PAGE 33  
FIRST REVISED PAGE 34-A  
SECOND REVISED PAGE 36  
ORIGINAL PAGE 36-A  
THIRD REVISED PAGE 37  
ORIGINAL PAGE 37-A  
FIRST REVISED PAGE 40  
ORIGINAL PAGE 41  
ORIGINAL PAGE 42

Change, Decision No. **81236**

EFFECTIVE APRIL 15, 1973

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
San Francisco, California 94102

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">PROBABLE COST OF SERVICES (Items 31 and 31.1)</p> <p>1. <u>Probable Cost of Services by the Carrier.</u> Every carrier of household goods may upon request of a shipper cause to be given to such shipper a probable cost for proposed services. The probable cost shall be given in manner and form set forth in Items 441 and 441.1. Across the top of each form there shall be imprinted in red letters not less than <math>\frac{1}{2}</math> inch high the words "Probable Cost of Services." The contents of the note IMPORTANT NOTICE shall be imprinted in letters not less than 10 point bold, universe or Gothic. All probable cost of services shall be in writing on prescribed forms.</p> <p>EXCEPTION.--Probable cost of services involving rates provided in Item 330 need not be given after a visual inspection of the goods by the estimator. The written probable cost of services required by this paragraph may be complied with by noting the amount of the probable cost of services on the Confirmation of Shipping Instructions and Rate Quotation document.</p> <p>The estimator shall:</p> <ul style="list-style-type: none"> <li>(a) Base the probable cost of services on articles listed and services requested on the Basis for Carrier's Probable Cost of Services document and Table of Measurements document.</li> <li>(b) Consider all factors that affect the move at origin such as: <ul style="list-style-type: none"> <li>(1) flights</li> <li>(2) long carry</li> <li>(3) elevator</li> <li>(4) hoisting and lowering</li> </ul> </li> <li>(c) Base the probable cost of services upon no less than minimum rate for all services ordered and to be provided by carrier.</li> <li>(d) Use cubic measurement no less than that shown for each article on the Table of Measurements and arrive at the approximate weight of the shipment by multiplying the total cubic feet of the shipment by not less than 7 lbs. per cubic feet.</li> <li>(e) Execute required documents completely and properly.</li> </ul> <p>2. <u>Probable Cost of Services Document.</u></p> <ul style="list-style-type: none"> <li>(a) The carrier's estimator shall only utilize the information contained on the Basis for Carrier's Probable Cost of Services document (see Item 32) in completing the Probable Cost of Services document for arriving at the probable cost of services. Such document shall be signed by the carrier's estimator and a duplicate thereof be given to the shipper.</li> <li>(b) The manner and form of the Probable Cost of Services document shall be as specified in Items 441 and 441.1.</li> <li>(c) The original of each document shall be retained by the issuing carrier, subject to the Commission's inspection for a period not less than three years from the date of the freight bill or shipping order; or the date of the Probable Cost of Services document if the carrier did not perform the transportation.</li> </ul> <p style="text-align: center;">(Continued in Item 31.1)</p>	32
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EFFECTIVE	
<p>Correction</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">PROBABLE COST OF SERVICES (Concluded) (Items 31 and 31.1)</p> <p>3. Applies only to charges involving rates provided in Items 300 and 320.</p> <p>(a) <u>Delivery when Actual Charges Exceed Probable Cost of Services.</u> Whenever the total tariff charges on a shipment for which all or part of such charges are to be paid on delivery shall exceed by more than 10 percent or \$25.00, whichever is greater, the amount of the probable cost of services on that shipment, the carrier must relinquish possession of the shipment upon payment of the amount of the probable cost of services plus an additional 10 percent or \$25.00, whichever is greater, of the probable cost of services, plus the charges for all services and articles listed on the Addendum Order for Service, and the carrier shall defer demand for the remainder of the tariff charges for a period of 15 days following delivery excluding Saturdays, Sundays and holidays.</p> <p>(b) <u>Waiver of Credit.</u> If the shipper does not desire the extension of credit required by the above paragraph (a) the carrier shall have the shipper sign and date the waiver on the shipping document.</p> <p>(c) <u>Notification to Shipper of Charges.</u> Whenever the shipper specifically requests notification of the actual weight and charges on a shipment, and supplies the carrier with an address or telephone number at which the communication will be received, the carrier shall comply with such request immediately upon determining the actual weight and charges. Such notification shall be made by telephone, telegraph, or in person and the actual cost of such notification shall be collected from the shipper.</p> <p>4. Applies only to charges involving rates provided in Item 330.</p> <p>(a) <u>Delivery when Actual Charges Exceed Probable Cost of Services.</u> Whenever the total tariff charges on a shipment for which all or part of such charges are to be paid on delivery shall exceed by more than 25 percent or \$25.00, whichever is greater, the amount of the probable cost of services on that shipment, the carrier must relinquish possession of the shipment upon payment of the amount of the probable cost of services plus an additional 25 percent or \$25.00, whichever is greater, of the probable cost of services, plus the charges for all services and articles listed on the Addendum Order for Service, and the carrier shall defer demand for the remainder of the tariff charges for a period of 15 days following delivery excluding Saturdays, Sundays and holidays.</p> <p>(b) <u>Waiver of Credit.</u> If shipper does not desire the extension of credit required by the above paragraph (a) the carrier shall have the shipper sign and date the waiver on the shipping document.</p> <p>5. <u>Report of Underestimates.</u> Every carrier of household goods shall file with the California Public Utilities Commission a quarterly report, on a report form prescribed by the Commission, of all instances during the period where the actual charges for services rendered minus the charges for all services and articles listed on the Addendum Order for Service, were higher, by more than 10 percent, or \$25.00, whichever is greater, than the probable cost of services, with an explanation of the reasons for the difference. This report shall be filed within 30 days after the end of the quarter to which it relates and shall constitute a public record. The report shall contain a statement of the amount of credit extended and all pertinent collection information. No irregularity in providing the estimate of the charges relieves the carrier of the requirement to report underestimates.</p>	<p style="text-align: center;">#31.1</p>
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EFFECTIVE	
<p>Correction</p>	<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">BASIS FOR CARRIER'S PROBABLE COST OF SERVICES</p> <ol style="list-style-type: none"> <li>1. The carrier shall complete the Basis for Carrier's Probable Cost of Services document only after visual inspection of the goods by the estimator prior to his determining the probable cost of services requested. Such document shall be signed by the shipper or shipper's representative and a duplicate thereof be given to the shipper.</li> <li>2. The manner and form of the Basis for Carrier's Probable Cost of Services document shall be as specified in Items 440 and 440.1.</li> <li>3. The original of each document shall be retained by the issuing carrier, subject to the Commission's inspection, for a period not less than three years from the date of the freight bill or shipping order; or the date of the Basis for Cost of Services document if the carrier did not provide the transportation.</li> <li>4. Across the top of each form there shall be imprinted in red letters not less than 1/4 inch high the words "Basis for Carrier's Probable Cost of Services."</li> <li>5. The statement found on the Basis for Carrier's Probable Cost of Services shall be in letters not less than 10 point bold, universe or Gothic.</li> </ol>	<p style="text-align: center;">32</p>
<p style="text-align: center;">TABLE OF MEASUREMENTS</p> <ol style="list-style-type: none"> <li>1. The following information shall be shown on the Table of Measurements form as provided in Items 450, 451 and 452.               <ol style="list-style-type: none"> <li>(a) Articles to be shipped.</li> <li>(b) Articles not to be shipped.</li> <li>(c) Cubic footage of each article to be shipped.</li> <li>(d) Total number of pieces to be shipped.</li> <li>(e) Total cubic footage of all articles to be shipped.</li> </ol> </li> <li>2. Carriers shall not use a cubic measurement less than that shown for each article on the Table of Measurements (See Items 450, 451 and 452).</li> <li>3. The total cubic footage determined shall be multiplied by not less than SEVEN to determine the total approximate weight.</li> <li>4. The contents of Table of Measurements in Items 450, 451 and 452 shall be on the reverse side of the Basis for Carrier's Probable Cost document.</li> </ol>	<p style="text-align: center;">33</p>
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SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">DELIBERATE UNDERESTIMATING</p> <p>Every Household Goods Carrier and officer, director, agent or employee of any Household Goods Carrier who deliberately underestimates charges applicable to the carriage of goods under Minimum Rate Tariff 4-B, in order to encourage a shipper to engage its transportation services is subject to the penalties and restrictions provided in Articles 7 and 8 of the Household Goods Carriers Act. For the purposes of this rule, a deliberate underestimate shall mean the tendering of a willful and intentional quotation of probable cost of services less than that required by application of unit costs prescribed in Minimum Rate Tariff 4-B, with knowledge that the actual charges required by the tariff will be more than the amount of the quotation or estimate.</p>	33.5
<p style="text-align: center;">ADDENDUM ORDER FOR SERVICES</p> <p>1. If at time of pickup or thereafter, the shipper asks for additional services or adds additional articles to the shipment that were not covered in the Basis for Carrier's Probable Cost of Services document, the carrier shall prepare in duplicate an Addendum Order for Service document (Item 453). Such document shall be signed by the carrier and shipper prior to the commencement of performance of any service specified therein, and the signed original delivered to the shipper prior to or at the time such service is begun. The document shall contain the following information:</p> <ul style="list-style-type: none"> <li>(a) Date.</li> <li>(b) Name and address of carrier or carriers.</li> <li>(c) Description of shipment (Additional only).</li> <li>(d) Description of transportation and accessorial services to be performed.</li> <li>(e) Rates and charges.</li> <li>(f) Valuation of shipment (Subject to conditions set forth in NOTE 4 - Item 150).</li> <li>(g) Insurance (Subject to conditions set forth in NOTE 5 - Item 150).</li> <li>(h) The following statements shall be placed upon the document: (In letters not less than 10 point bold, universe or Gothic.</li> </ul> <p style="margin-left: 40px;">(1) THIS WILL CERTIFY AND ATTEST THAT SHIPPER OR SHIPPER'S REPRESENTATIVE AS SHOWN ON ORDER FOR SERVICE NO. _____ DATED _____ WITH (CARRIER'S NAME) _____ REQUESTS THE FOLLOWING ADDITIONAL SERVICES AND CHARGES.</p> <p style="margin-left: 40px;">(2) I UNDERSTAND THAT I MAY BE REQUIRED TO PAY FOR THE SERVICES REQUESTED ABOVE AT TIME OF DELIVERY. THESE CHARGES ARE IN ADDITION TO THOSE CHARGES SET FORTH ON PREVIOUS PROBABLE COST OF SERVICES DOCUMENT. CARRIER IS NOT REQUIRED TO EXTEND CREDIT IN THE AMOUNT OF THE CHARGES ACCRUED FOR THE ABOVE ADDITIONAL SERVICES.</p> <p style="margin-left: 40px;">I HAVE READ THIS CONTRACT AND AGREE WITH THE PROVISIONS THEREOF, AND RECEIVED A COPY.</p> <p style="margin-left: 40px;">(i) Signature of carrier and shipper or his representative.</p> <p>2. The form of the Addendum Order for Service document in Item 453 will be suitable and proper.</p> <p>3. The duplicate of each document issued in compliance with the provisions of this item shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date thereof.</p>	33.7
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