

ORIGINAL

Decision No. 81337

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. 713)

In the Matter of the Application of)
 Pacific Southcoast Freight Bureau)
 for authority to make effective in-)
 creases in certain railroad rates)
 and charges.)

Application No. 53559

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 81185 as amended by Decision No. **81336**
 in the above proceedings, the Commission authorized increases in
 the minimum rates and charges in Minimum Rate Tariff 2 (MRT 2) for
 the statewide transportation of general commodities by highway
 permit carriers.

It has come to the Commission's attention that, through
 inadvertence, certain of the revised minimum rates were published
 in error.

In the circumstances, the Commission finds that the
 necessary corrections should be made and the suspended tariff pages
 should be vacated. A public hearing is not necessary. The Com-
 mission concludes that MRT 2 should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606,
 as amended) is hereby further amended by incorporating therein, to

become effective May 11, 1973, the revised pages and supplement attached hereto and listed in Appendix A, also attached hereto, which pages, supplement and appendix are made a part hereof.

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

3. Any provisions currently maintained in common carrier tariffs which are more restrictive than, or which produce charges greater than, those contained in Minimum Rate Tariff 2, are authorized to be maintained in connection with the increased rates and charges directed to be established by ordering paragraph 2 hereof.

4. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 2 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 2 rates herein.

5. Common carriers maintaining rates on the same level as Minimum Rate Tariff 2 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 2 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 2 rates herein.

6. 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 2 are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 2 rates herein.

7. Pacific Southcoast Freight Bureau, on behalf of the California railroads, is authorized to publish the necessary tariff amendments to conform with the order herein.

8. Common carriers maintaining, under outstanding authorizations permitting the alternative use of rail rates, rates below specific minimum rate levels otherwise applicable on commodities

and between the points for which increases are authorized in ordering paragraph 7 hereof are authorized and directed to increase such rates, on not less than one day's notice to the Commission and to the public, to the level of the rail rates established pursuant to paragraph 7 hereof, or to the level of the specific minimum rates, whichever is the lower. To the extent such common carriers have maintained such rates at differentials above previously existing rail rates, they are authorized to increase such rates by the amounts authorized in ordering paragraph 7 hereof; provided, however, that such increased rates may not be lower than the rates established by the rail lines pursuant to the authority granted in ordering paragraph 7, nor higher than the otherwise applicable minimum rates. Such adjustments shall be made effective not later than thirty days after the effectiveness of the increased rail rates.

9. Except for tariff publications required to be made by ordering paragraph 8 hereof, tariff publications required or authorized to be made by common carriers as a result of the order herein may be made effective on one day's notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than May 11, 1973; 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.

10. 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.

C. 5432 (Pet. 713) A. 53559 - cp

11. Common carriers, to the extent they maintain rates not otherwise specifically referenced in other ordering paragraphs hereof, are authorized to increase such rates by two percent.

12. In all other respects Decision No. 31606, 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 15th day of May, 1973.

Vernon L. Sherran
President

William Lyons Jr.

David R. Holmes
Commissioners

L. Stanton

William J. Lyons Jr., Commissioner

APPENDIX A

LIST OF REVISED PAGES AND SUPPLEMENT
MINIMUM RATE TARIFF 2

SUPPLEMENT 103

FOURTEENTH REVISED PAGE 15-B

FIFTH REVISED PAGE 31-AAA

THIRTY-SIXTH REVISED PAGE 41

SEVENTH REVISED PAGE 42-C

THIRTY-FIFTH REVISED PAGE 43-A

THIRTY-FIRST REVISED PAGE 44-B

SEVENTEENTH REVISED PAGE 51-J

(END OF APPENDIX A)

VACATING SUPPLEMENT

SUPPLEMENT 103
(Cancels Supplements 101 and 102)
(Supplements 73, 75, 77, 79, 87, 93, 96, 98
and 103 Contain All Changes)

TO
MINIMUM RATE TARIFF 2
NAMING
MINIMUM RATES AND RULES
FOR THE
TRANSPORTATION OF PROPERTY OVER THE
PUBLIC HIGHWAYS WITHIN THE
STATE OF CALIFORNIA
BY
RADIAL HIGHWAY COMMON CARRIERS
HIGHWAY CONTRACT CARRIERS
CEMENT CONTRACT CARRIERS
DUMP TRUCK CARRIERS
AND
HOUSEHOLD GOODS CARRIERS

VACATING NOTICE

The suspension notice contained in Supplement 101 is vacated and the following tariff pages shall become effective May 11, 1973:

TWELFTH REVISED PAGE 15-B
THIRTEENTH REVISED PAGE 18-B
THIRTY-SECOND REVISED PAGE 19
FOURTEENTH REVISED PAGE 19-A
TWENTY-SEVENTH REVISED PAGE 19-B
TWENTY-SIXTH REVISED PAGE 19-C
THIRTY-SIXTH REVISED PAGE 20
THIRTIETH REVISED PAGE 20-A
FOURTH REVISED PAGE 20-B
SEVENTH REVISED PAGE 20-E
THIRTY-EIGHTH REVISED PAGE 21
FIFTEENTH REVISED PAGE 21-A
SECOND REVISED PAGE 21-CCC
THIRTY-SECOND REVISED PAGE 26
SIXTH REVISED PAGE 26-A
ELEVENTH REVISED PAGE 27-B
FOURTH REVISED PAGE 27-C
FOURTH REVISED PAGE 31-AAA
FOURTH REVISED PAGE 40-A
THIRTY-FIFTH REVISED PAGE 41
SEVENTH REVISED PAGE 41-A
FOURTH REVISED PAGE 41-B
FOURTH REVISED PAGE 41-C
THIRTY-FOURTH REVISED PAGE 42
EIGHTH REVISED PAGE 42-A
FOURTH REVISED PAGE 42-B
SIXTH REVISED PAGE 42-C

THIRTY-FOURTH REVISED PAGE 43
THIRTY-FOURTH REVISED PAGE 43-A
FORTY-SECOND REVISED PAGE 44
TWENTY-THIRD REVISED PAGE 44-A
THIRTIETH REVISED PAGE 44-B
SEVENTH REVISED PAGE 44-C
THIRD REVISED PAGE 44-D
TWENTY-FOURTH REVISED PAGE 46-A
THIRTIETH REVISED PAGE 47
EIGHTEENTH REVISED PAGE 48
SECOND REVISED PAGE 48-A
TWENTY-SECOND REVISED PAGE 51-A
EIGHTEENTH REVISED PAGE 51-CC
FOURTH REVISED PAGE 51-CCC
TWENTIETH REVISED PAGE 51-D
TWENTY-SECOND REVISED PAGE 51-DD
TWENTY-FIFTH REVISED PAGE 51-E
TWENTY-THIRD REVISED PAGE 51-EE
FIFTEENTH REVISED PAGE 51-EEE
THIRD REVISED PAGE 51-HHH
SIXTEENTH REVISED PAGE 51-J
FOURTH REVISED PAGE 51-K
FIFTEENTH REVISED PAGE 52
TENTH REVISED PAGE 52-A
FOURTH REVISED PAGE 66-K
THIRD REVISED PAGE 66-L
THIRD REVISED PAGE 66-M

Decision No.

81337

EFFECTIVE MAY 11, 1973

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
STATE BUILDING, CIVIC CENTER
San Francisco, California 94102

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">EMPTY PALLET RETURN</p> <p>SECTION 1--The provisions of this section apply only in connection with shipments of commodities named in paragraph (c) and shipments transported under provisions of Items 316, 320, 320-1, 335.5, 338, 345, 350, 390 and 654½.</p> <p>(a) When palletized shipments are transported at rates subject to minimum weights of 10,000 pounds or more, empty pallets may be transported without charge for distances not exceeding 75 constructive miles when returning to the point of origin of an outbound palletized shipment or when transported for a returning palletized shipment, subject to the provisions of Notes 1, 2, 3 and 4, below:</p> <p>NOTE 1--palletized shipments must be loaded by consignor and unloaded by consignee with power equipment, furnished and used without expense to the carrier.</p> <p>NOTE 2--Shipper must indicate on the bill of lading that palletized shipments were loaded onto carrier's equipment with power equipment operated by personnel furnished by the shipper. Consignee must indicate on carrier's delivery receipt that the palletized shipments were removed from carrier's equipment with power equipment operated by personnel furnished by the consignee.</p> <p>NOTE 3--Bills of lading covering the shipment of returning empty pallets shall identify the palletized shipments. Bills of lading covering returning palletized loads shall identify the shipments of empty pallets.</p> <p>NOTE 4--For purposes of applying the provisions of this section, the terms "pallets" or "empty pallets" means wooden pallets as described in Item 150390, Sub 4, of the Governing Classification, without bodies, enclosures, ends, sides, stakes, standards or stacking posts.</p> <p>(b) Carriers must assess provisions of Section 2 of this Item or other provisions of this tariff, as applicable, under conditions set forth in Notes 1, 2 and 3, below:</p> <p>NOTE 1--If immediately upon receipt of a palletized shipment consignee fails to provide carrier with up to a like number of empty pallets for return to point of origin of the palletized shipment.</p> <p>NOTE 2--When empty pallets are furnished by consignee and forwarded to point of origin of a palletized shipment, if consignor immediately upon receipt of the empty pallets fails to provide carrier with a palletized shipment containing up to a like number of pallets loaded for shipment to consignee at point of origin of the empty pallets.</p> <p>NOTE 3--For transportation of all empty pallets exceeding the number authorized under provisions of Notes 1 or 2 of paragraph (b).</p> <p>(c) When palletized shipments of Toilet Preparations, NOX (as described in Item 59420 of the Governing Classification), Aluminum Foil, NOX (as described in Item 71720 of the Governing Classification) or commodities described in Items 360 or 732 of this tariff are transported at class rates named in Section 2 of this tariff subject to minimum weights of 10,000 pounds or more, the empty pallets may be transported under provisions of paragraphs (a) and (b) of this section.</p> <p>SECTION 2--Subject to the provisions of Item 291 of this tariff, shipments of empty pallets as described below, when not subject to the provisions of Section 1 of this Item and when returning to the point of origin of an outbound palletized shipment or when transported for a return palletized shipment, are subject to the following exception to the Governing Classification:</p> <p style="padding-left: 40px;">Wooden pallets as described in Item 150390, Sub 4, of the Governing Classification, without bodies, enclosures, ends, sides, stakes, standards or stacking posts:</p> <p style="padding-left: 80px;">Less truckload-----50% of Class 55 (1)</p> <p style="padding-left: 80px;">(1) Subject to a minimum rate of 46 cents per 100 pounds.</p>	045
<p>◊ Increase, Decision No. 81337</p>	
EFFECTIVE	
<p>Correction</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

MINIMUM RATE TARIFF 2

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
<p>EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)</p> <p>(Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)</p>		Class Rating
<p>CARRIERS (USED PACKAGES), SECONDHAND, EMPTY, subject to Notes 1 and 2, viz.:</p> <p>Barrels, Drums or Kegs, sheet iron or steel (40830) Bottles, Carboys or Demijohns, NOX, glass, one gallon or less (87700) Bottles, plastic, one gallon or less, in barrels, boxes or crates, with or without covers (156600) Boxes, fibreboard, KD flat or folded flat, in packages (29275, 29280) Carboys, glass, in boxes, with or without neck protection (87840) Carriers, NOX (40850, Sub 2) Crates, bottle carrying (40883, 40885, 40890, 40900, 40910, 40920, 40930) Cylinders, for shipping air, gases or liquids under pressure (41150, 41160) Drums, shipping, fibreboard, nested (21840, Sub 2) Pallets, metal or wooden, shipping (150370, 150390) including inside spacers or supports for palletized loads Reels (41330, Sub 5)</p> <p>Less truckload</p> <p>(3) Subject to minimum rate of 46 cents per hundred pounds or actual Class 55 rate whichever is lower. On continuous through movements on which charges are obtained by use of combinations of separately established rates, the minimum rate stated above shall apply, not in connection with the separately established factors, but to the total of the combined rate applicable to the through continuous movement.</p> <p>NOTE 1 --Applies only on Carriers (used packages), secondhand, empty, returning, or when shipped for return paying load. Applies only when return movement is over same line, or lines, as outbound movement, subject to Item 291 of this tariff, except as provided in Note 2; and subject also to estimated weights, if any, which are published in the Governing Classification.</p> <p>NOTE 2 --If the charge accruing under the rating in the Governing Classification is lower than the charge accruing under the exception rating contained herein, the lower charge resulting from the Governing Classification rating will apply.</p>		<p>(1) 50% of 55</p> <p>(E) 330.6</p>
<p>(2)Suspended by Supplement 101. (3)Suspended by Supplement 96. (E)Expires upon further order of the Commission.</p>		
<p>Change) Increase) Decision No.</p>		
81337		
EFFECTIVE		
Correction		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA		

SECTION 2—CLASS RATES (Continued) In Cents Per 100 Pounds												ITEM	
MILES		Any Quantity (Subject to Note)										501	
Over	But Not Over	100	92½	85	77½	70	65	60	55	50	50.1		
400	425	564	536	508	479	451	434	417	395	384	355		
425	450	573	544	516	487	458	441	424	401	390	361		
450	475	581	552	523	494	465	447	430	407	395	366		
475	500	590	561	531	502	472	454	437	413	401	372		
500	525	599	569	539	509	479	461	443	419	407	377		
525	550	606	576	545	515	485	467	448	424	412	382		
550	575	615	584	554	523	492	474	455	431	418	387		
575	600	624	593	562	530	499	480	462	437	424	393		
600	625	633	601	570	538	506	487	468	443	430	399		
625	650	641	609	577	545	513	494	474	449	436	404		
650	675	650	618	585	553	520	501	481	455	442	410		
675	700	659	626	593	560	527	507	488	461	448	415		
700	725	668	635	601	568	534	514	494	468	454	421		
725	750	676	642	608	575	541	521	500	473	460	426		
750	775	685	651	617	582	548	527	507	480	466	432		
775	800	694	659	625	590	555	534	514	486	472	437		
800	850	703	668	633	598	562	541	520	492	478	443		
850	900	713	677	642	606	570	549	528	499	485	449		
900	950	723	687	651	615	578	557	535	506	492	455		
950	1000	733	696	660	623	586	564	542	513	498	462		
1000	1050	743	706	669	632	594	572	550	520	505	468		
1050	1100	753	715	678	640	602	580	557	527	512	474		
1100	1150	0765	0727	0689	0650	0612	0589	0566	0536	0521	0482		
1150	1200	0777	0738	0699	0661	0622	0599	0575	0544	0529	0490		
For distances over 1200 miles add for each 50 miles or fraction thereof in excess of 1200 miles:		13	13	12	11	10	10	10	10	9	9		
NOTE—Not applicable to shipments having both point of origin and point of destination in the Metropolitan Los Angeles Area. (See Items 530 and 550.)													
Change) Increase) Decision No. 81337													
EFFECTIVE													
Correction													
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.													

SECTION 2--CLASS RATES (Continued) In Cents Per 100 Pounds (See Exception)										ITEM
MILES		Minimum Weight as provided in the Governing Classification, Exception Ratings Tariff or this tariff. (See Note)								
Over	But Not Over	45	40	37½	35	35.1	35.2	35.3	35.4	
0	3	35	31	30	29	28	26	24	21½	#507
3	5	36	33	32	31	29	28	25	22	
5	10	38	35	34	33	30	29	26	23	
10	15	39	36	35	34	31	30	28	24	
15	20	41	37	36	35	33	31	28½	25	
20	25	42	39	37	36	34	32	29	25½	
25	30	43	40	39	38	35	33	30	26	
30	35	44	41	40	39	36	34	31	27	
35	40	45	43	42	40	38	35	32	28	
40	45	47	44	43	42	39	36	33	29	
45	50	48	46	45	44	40	37	34	30	
50	60	50	48	47	46	42	38	35	31	
60	70	52	51	50	49	44	40	36	33	
70	80	55	53	52	51	46	42	38	34	
80	90	57	55	54	53	48	44	40	36	
90	100	58	57	55	54	50	45	42	37	
100	110	60	59	57	56	52	47	43	39	
110	120	63	60	59	58	54	49	45	41	
120	130	65	63	62	60	56	50	46	42	
130	140	67	65	64	63	58	52	47	43	
140	150	69	67	66	65	59	53	49	44	
150	160	71	69	68	67	61	55	51	45	
160	170	74	71	70	69	63	57	53	47	
170	180	76	74	73	71	65	58	54	48	
180	190	78	76	75	74	67	60	55	49	
190	200	80	78	77	76	69	61	56	50	
200	220	83	81	80	79	72	64	58	53	
220	240	88	84	83	82	76	67	61	54	
240	260	91	88	87	86	79	69	64	55	
260	280	95	92	91	90	82	72	66	58	
280	300	99	95	94	93	86	76	68	59	
300	325	102	99	98	96	89	79	71	61	
325	350	106	102	101	100	92	82	73	64	
350	375	111	105	104	103	96	86	76	67	
375	400	113	109	107	106	99	88	78	69	
EXCEPTION.--Except as provided in Items 160 and 170, rates shown herein will not apply to transportation for which rates are provided in Item 520.										
NOTE.--Subject to the provisions of Items 292, 293 and 293.1 for volume incentive service and special volume incentive service.										
Change) Increase) Decision No. 81337										
EFFECTIVE										
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.										
Correction										

SECTION 2--CLASS RATES (Continued) In Cents Per 100 Pounds											ITEM
BETWEEN					AND						
SAN JOSE METROPOLITAN ZONE GROUP					SAN FRANCISCO METROPOLITAN ZONE GROUP						
Class Rates shown below are intermediate in application subject to Note 1.											
	100	92½	85	77½	70	65	60	55	50	50.1	
Any Quantity-----	424	403	382	360	339	326	314	297	288	267	
Minimum Weight:											
5,000 Pounds-----	163	155	147	139	130	126	121	114	111	103	
10,000 Pounds except as provided in Note 2-----	116	110	104	99	93	89	86	81	79	73	
20,000 Pounds except as provided in Note 3-----	75	71	68	64	60	58	56	53	51	47	
Class Rates shown below are intermediate in application subject to Note 1.											#509
	45	40	37½	35	35.1	35.2	35.3	35.4			
As provided in Governing Classification, Exception Ratings Tariff or this tariff (see Note 4)-----	48	46	45	44	40	37	34	30			
<p>NOTE 1.--If charges accruing under the Class Rates in this item, applied on shipments from, to or between points intermediate between origin and destination points via Routes 8 and 10 shown in Item 900-1 are lower than charges accruing under the Distance Class Rates in Items 500, 501, 502, 503, 504, 505, 506, 506.5, 507 and 508 on the same shipment via the same route, such lower charges will apply.</p> <p>NOTE 2.--When applied in connection with truckload ratings, minimum weight will be as provided in the Governing Classification, Exception Ratings Tariff or in this tariff.</p> <p>NOTE 3.--When applied in connection with truckload ratings, minimum weight will be as provided in the Governing Classification, Exception Ratings Tariff or in this tariff but in no event less than 20,000 pounds.</p> <p>NOTE 4.--Subject to the provisions of Items 292, 293 and 293.1 for volume incentive service and special volume incentive service.</p>											
Change) Increase) Decision No. 81337											
EFFECTIVE											
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA											
Correction											

SECTION 2—CLASS RATES (Continued) In Cents Per 100 Pounds										ITEM
Rates in this item apply only to shipments having point of origin in the San Francisco Metropolitan Zone Group and point of destination in the East Bay Metropolitan Zone Group and to shipments having point of origin in the East Bay Metropolitan Zone Group and point of destination in the San Francisco Metropolitan Zone Group. (See Note 3)										
Minimum Weight 20,000 pounds except as provided in Note 1.										
100	92½	85	77½	70	65	60	55	50	50.1	
70	67	63	60	56	54	52	49	48	44	
6 Minimum weight as provided in Governing Classification, Exception Ratings Tariff or this tariff. (See Note 2)										4520
45	40	37½	35	35.1	35.2	35.3	35.4			
45	43	42	40	38	35	32	28			
NOTE 1--When applied in connection with truckload ratings, minimum weight will be as provided in the Governing Classification, Exception Ratings Tariff or in this tariff but in no event less than 20,000 pounds. NOTE 2--Subject to the provisions of Items 292, 293 and 293.1 for volume incentive service and special volume incentive service. NOTE 3--Except as provided in Items 160 and 170, rates are not applicable to split pickup or split delivery shipments.										
6 Change) 6 Reduction) Decision No. 81337										
EFFECTIVE										
Correction										ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 3--COMMODITY RATES (Continued In Cents Per 100 Pounds				
COMMODITY	BETWEEN	AND	RATE	ITEM
Sugar, in packages Minimum Weight 42,000 Pounds	SPRECKELS SAN FRANCISCO METROPOLITAN ZONE GROUP CROCKETT	LOS ANGELES BASIN TERRITORY as described in Item 270	6(1)82	6740
(1) Subject to Items 900 and 900-1.				
of Change) of Reduction) Decision No. 81337				
EFFECTIVE				
Correction				
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.				

C. 5432 Pct. 713
A. 53559

D. 81337

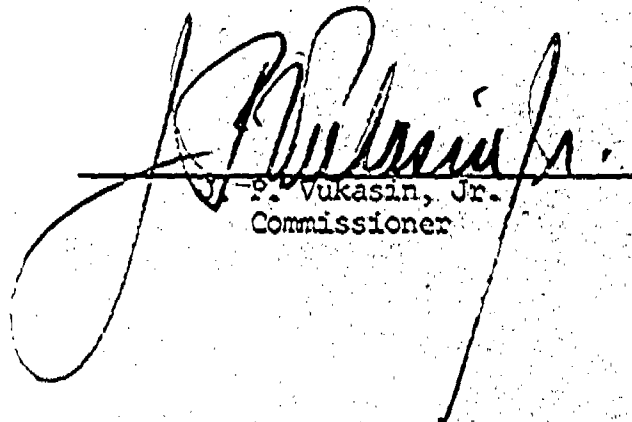
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COMMISSIONER J. P. VUKASIN, JR., Abstaining.

Having dissented from Decision No. 81336, which this
Supplemental Opinion and Order accompanies, I abstain from
joining herein.

San Francisco, California

May 1, 1973



J. P. Vukasin, Jr.
Commissioner