

Decision No. 82035**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 household
goods and related property.

Case No. 5330, OSH 68

ORDER DENYING REHEARING
AND AMENDING DECISION NO. 81518

A petition for rehearing or reconsideration of Decision No. 81518 was filed by California Moving and Storage Association, Inc., et al. That decision established additional rules in Minimum Rate Tariff 4-B respecting the estimating practices of household goods movers.

The specific errors in Decision No. 81518 asserted by petitioners are numerous. As a result of these alleged errors, petitioners contend that Decision No. 81518 is outside of the evidence of record, in excess of the Commission's jurisdiction and results in a taking of property without due process of law.

Evaluation of the record and the findings of fact in Decision No. 81518 compels us to reject petitioners' claims herein.

Although we conclude that the petitioners have failed to show good cause for granting a rehearing, we do find it necessary to amend Decision No. 81518.

IT IS ORDERED THAT:

1. Rehearing of Decision No. 81518 is hereby denied.
2. Decision No. 81518 is hereby amended as follows:

(a) Page 9, paragraph 1 of Decision No. 81518
is amended to read as follows:

"In its closing argument CMSA agreed that penalties for underestimating are appropriate, but proposed a different solution. CMSA urged that the Commission raise the allowable overage from 10 percent to 15 percent on distance moves, and that the carrier be penalized for an underestimate by paying a fine to the General Fund in the amount that the actual charges exceed the estimate ~~(plus the allowable 15 percent overage, and the charges on the Addendum Order for Service)~~ are less than the charge based on the applicable minimum rate."

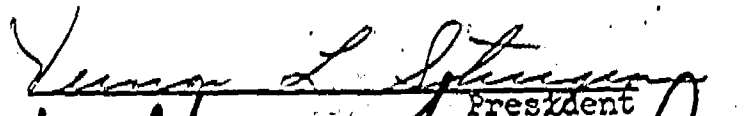
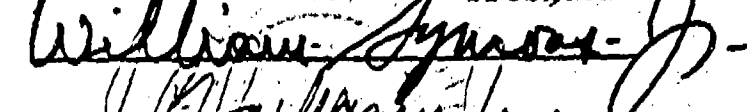


(b) Page 12, paragraph 1, lines 1 and 2 of Decision No. 81518 is amended to read as follows:

"Written Estimates - Local Shipments

Item 31 of MRT 4-B provides that upon request of the shipper the carrier shall may give the shipper a statement of probable costs of service (estimate). ..."

3. The effective date of Decision No. 81518 is the date of this order.

Dated at San Francisco, California, this 24th day of OCTOBER, 1973.


President



Commissioners