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ORIGINAL

Decision No. 82897

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 STAYING DECISION NO. 82575
AND GRANTING REHEARING

A petition for rehearing and rescission or suspension of Decision No. 82575 was filed by Bekins Moving & Storage Co. (Bekins) on April 2, 1974. The Commission, after considering the allegations of the petition, is of the opinion that a rehearing of Decision No. 82575 is necessary.

THEREFORE, IT IS ORDERED that:

1. Decision No. 82575 is hereby stayed pending further order of the Commission.
2. A rehearing of Decision No. 82575 is hereby granted.
3. Decision No. 82575 constitutes notice to all interested parties of the amendments to Minimum Rate Tariff 4-B proposed by the Commission.

4. Minimum Rate Tariff 4-B (Appendix C to Decision No. 65521, as amended, is further amended by incorporating therein, to become effective June 1, 1974, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix by this reference are made a part hereof.

5. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 65521, as amended, are directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

6. 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 first day after the effective date of this order, on not less than one day's notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than June 1, 1974; 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 hereof.

7. Common carriers, in establishing and maintaining the amendments 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 amendments published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

8. 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 21st day
of, MAY, 1974.

Vernon L. Sturgeon
President

William J. Jones, Jr.

[Signature]

Commissioners

Commissioner Thomas Moran, being
necessarily absent, did not participate
in the disposition of this proceeding.

Commissioner D. W. Holmes, being
necessarily absent, did not participate
in the disposition of this proceeding.

APPENDIX A

LIST OF REVISED PAGES
TO MINIMUM RATE TARIFF 4-B

FOURTH REVISED PAGE 7-BBB

SEVENTH REVISED PAGE 13

FIFTH REVISED PAGE 14

FOURTH REVISED PAGE 16

SEVENTH REVISED PAGE 31

FIFTH REVISED PAGE 32

(END OF APPENDIX A LIST)

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"> (a) Date. (b) Name and address of carrier or carriers. (c) Description of shipment (Additional only). (d) Description of transportation and accessorial services to be performed. (e) Rates and charges. (f) Valuation of shipment (Subject to conditions set forth in NOTE 4 - Item 150). (g) Insurance (Subject to conditions set forth in NOTE 5 - Item 150). (h) The following statements shall be placed upon the document: (In letters not less than 10 point bold, universe or Gothic.) <ul style="list-style-type: none"> (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. (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 style="text-align: center;">I HAVE READ THIS CONTRACT AND AGREE WITH THE PROVISIONS THEREOF, AND RECEIVED A COPY.</p> <p>(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
<p>Change, Decision No. 82897</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">SHIPPING ORDER AND FREIGHT BILL</p> <p>1. A shipping document shall be issued by the carrier to the shipper for each shipment received for transportation. The shipping document shall show the following information:</p> <ul style="list-style-type: none"> (a) Name and address of carrier. (b) All names, both real and fictitious, used by carrier in conducting its operations. (c) Identification of the name under which the particular transportation is performed where more than one name is listed. (d) 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. (e) Date issued. (f) Name of each shipper and consignee. (g) Points of origin and destination. (h) Description of the shipment, and the agreed or declared valuation thereof. (i) Unit of measurement upon which charges are based, viz.: <ul style="list-style-type: none"> (1) Actual and minimum number of hours involved; or (2) Actual number of pieces; or (3) Actual and minimum weight. (j) Deductions in time, if any, and reasons therefor. §(k) Number of helpers. (l) Rates and charges assessed. (m) Description of accessorial services performed, if any, and each separate charge therefor. (n) Insurance or optional carrier obligation, type and amount thereof, if any, and charge therefor. (o) Signature of carrier, or his agent. (p) Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. (q) Name, address, and telephone number of a person to whom notification provided for in Item 162 shall be given, except when this cannot be obtained from the shipper. (r) Preferred delivery date or the period of time within which delivery of the shipment may be expected to be made at destination. (s) Total amount by which total charges exceed the probable cost of service: <ul style="list-style-type: none"> (1) Over and above 10 percent or \$25.00, whichever is greater, on shipments involving rates provided in Items 300 and 320 or, (2) Over and above 25 percent or \$25.00, whichever is greater, on shipments involving rates provided in Item 330. (t) Waiver of extension of credit. (u) Signature of shipper or shipper's representative and date. <p>2. The form of shipping document in Item 400 will be suitable and proper. Such form may be combined with the confirmation of shipping instructions and rate quotation document form provided such combined form and the issuance thereof are in compliance with the provisions of this item and Items 145 and 150 and properly identified as to what it purports to be.</p> <p>3. A copy of each shipping document, freight bill, accessorial service document, weighmaster's certificate, written instructions, written agreement, written request or any other written document which supports the rates and charges assessed and which the carrier is required to issue, receive or obtain by this tariff for any transportation or accessorial service shall be retained and preserved by the carrier, at a location within the State of California, subject to the Commission's inspection, for a period of not less than three years from the date of issue.</p>	<p>§130</p>
<p>§ Change, Decision No. 82897</p>	
EFFECTIVE	
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Correction	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION (Items 145 and 150)</p> <p>1. A confirmation of shipping instructions and rate quotation document shall be prepared in duplicate by the carrier for each shipment tendered for transportation. 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 or duplicate thereof delivered to the shipper prior to or at the time such service is begun. Such documents shall contain the following information:</p> <ul style="list-style-type: none"> (a) Date. (b) Date and time of pickup requested or other arrangement. (c) Name and address of carrier or carriers. (d) Names of shippers and consignees. (e) Name, address or telephone number of party to be notified. (See NOTE 1.) (f) Description of notification and delivery arrangements. (See NOTE 2--Item 150) (g) Points of origin and destination. (h) Description of shipment. (i) Description of transportation and accessorial services to be performed. (j) Rates and charges (including minimum weights, minimum hours, other units of measurement, or minimum charges, when they are to be applied) quoted for the services described in the documents. (See NOTE 3--Item 150) (k) Valuation of shipment. (See NOTE 4--Item 150) (l) Insurance or optional carrier obligation. (See NOTE 5--Item 150) (m) Signatures of carrier and shipper. (n) Name, address, and telephone number of a person to whom notification provided for in Item 162 shall be given, except when this cannot be obtained from the shipper. (o) Preferred delivery date or the period of time within which delivery of the shipment may be expected to be made at destination. <p>2. The form of confirmation of shipping instructions and rate quotation document in Item 420 will be suitable and proper. Such form may be combined with the shipping document form into a single document, provided such combined form and the issuance thereof are in compliance with the provisions of this item and Item 130 and properly identified as to what it purports to be.</p> <p>3. The original or 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> <p>NOTE 1--Carrier shall request of the shipper, notification party, address, or telephone number. When shipper cannot furnish such information or declines to do so, that fact must be shown on the document.</p> <p style="text-align: center;">(Concluded in Item 150)</p>	6145
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Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">OBSERVANCE OF QUOTED RATES AND CHARGES</p> <p>Rates and charges no higher than those specified in the confirmation of shipping instructions and rate quotation documents issued pursuant to the provisions of Items 145 and 150 shall be assessed on each shipment transported over the line of a single carrier, or over the lines of two or more carriers under a joint or agency arrangement, except as provided in paragraphs (a) or (b) below:</p> <p>(a) When charges determined on the quoted basis are lower than those resulting under the minimum rates provided in this tariff the latter shall be used.</p> <p>(b) If, prior to the rendition of any transportation, the carrier fails to issue a confirmation of shipping instructions and rate quotation document, or if such document is issued but does not contain the information specified in subparagraphs 1, 2, 3, 4 or 5 below, rates and charges no higher than the minimum rates and charges named in this tariff shall be assessed. (See NOTE). When application of this tariff permits charges to be computed upon alternative units of measurement the minimum rate and charge shall be the lowest rate and charge developed on the basis of the available information with respect to all of the authorized alternative units of measurement.</p> <ol style="list-style-type: none"> 1. A description of the transportation and accessorial services ordered to be undertaken. 2. Rates (including minimum weights, minimum hours, or minimum charges, when they are to be applied) quoted for the services so described. 3. Agreed or declared value of the property per pound per article. 4. Signature of shipper. 5. Signature of carrier. <p>NOTE.--The shipment shall have a released valuation of 60 cents per pound per article.</p>	<p style="text-align: center;">155</p>
<p style="text-align: center;">INABILITY TO MAKE DELIVERY</p> <p>(a) In all instances where carrier is unable to locate the consignee, notification of inability to make delivery will be mailed or telegraphed to the consignee, consignor or owner, or written notice delivered to the premises where actual delivery was to be effected or to other notifying address, and the shipment will be placed in the nearest warehouse of the carrier, or at the option of the carrier, in a public warehouse; and upon such placement the carrier's liability shall cease and liability shall thereafter be that of the warehouseman in possession.</p> <p>(b) In all instances where the consignee is unable to take delivery or declines to accept delivery of the shipment, or where the shipment remains in carrier's possession, pursuant to instructions of the shipper or the consignee, and is not stored in transit under the provisions of Item 180, the shipment will be placed in the nearest warehouse of the carrier, or at the option of the carrier, in a public warehouse; and upon such placement the carrier's liability shall cease and liability shall thereafter be that of the warehouseman in possession.</p> <p>(c) In cases where a "subsequent delivery" is made, charges will be assessed for such "subsequent delivery" on the basis of charges lawfully applicable from carrier's terminal or from public warehouse (as the case may be) to the point of destination.</p>	<p style="text-align: center;">160</p>
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<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION 4--FORMS OF DOCUMENTS

ITEM

SHIPPING ORDER AND FREIGHT BILL FOR UNCRATED USED
HOUSEHOLD GOODS AND RELATED ARTICLES
(Items 400 and 410)

Name of Carrier _____ Bill No. _____
 Address _____ Date Issued _____
 Shipper _____ Consignee _____
 Street Address _____ Street Address _____
 City _____ City _____

Destination telephone number and notification address if different than delivery address

Description of Property	AT RATES IN CENTS PER HOUR						
	Units of Equipment: <input type="checkbox"/> With Driver Only <input type="checkbox"/> With Driver and Helper						
	Service	Time Started	Time Completed	Deduc- tions (1)	Time For Computing Charges	Rate	Charges
	Loading						
	Driving				(2)		
	Unloading						
	Total						
Number of Additional Helpers							
	<input type="checkbox"/> Loading						
	<input type="checkbox"/> Driving				(2)		
	<input type="checkbox"/> Unloading						
	Total						
AT RATES IN CENTS PER PIECE (5 Pieces or Less)							
	Number of Pieces	Rate for First Piece		Rate for Each Additional Piece		Charges	
	Total						
AT RATES IN CENTS PER 100 POUNDS							
	Weight	Miles	Tariff Rate Item		Rate	Charges	
OTHER SERVICES AND CHARGES (3)							
INSURANCE, OR OPTIONAL CARRIER OBLIGATION, TYPE AND AMOUNT						Charges	

400

(Concluded in Item 410)

- (1) Show time not chargeable, such as time for meals. Any deductions must be fully explained.
 (2) Show double the driving time, except when more than one shipment transported on a single unit of equipment, show not less than _____ minutes actual time.
 (3) Show each charge separately and what it represents.

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SECTION 4--FORMS OF DOCUMENTS (Continued)

ITEM

CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION
Form for Use in Connection with Consignments of Unrated Used Household
Goods and Related Articles

(Name of carrier which shall be the name in
which the operating authority is held.)

(The shipper is requested to read this document care-
fully before signing it and to ask for an explanation
of anything which is not clear or is inconsistent with
any previous representation made by the carrier.)

(Serial number of document)

(Place document is issued)

(Date issued)

This will confirm instructions received from

(Name the person placing instructions)

to transport a consignment of

(Used household goods or other suitable description)

from

(Describe the location from which the goods are to be shipped)

to

(Describe the location at which the goods are to be delivered)

, to receive the consignment for transportation on

and to perform the accessorial services of

(Specify the date and time or other arrangement)

(Specify any services such as packing, crating, unpacking or uncrating or indicate that none
are involved)

in connection with the receipt, transportation or delivery of the consignment, to notify

(Name the party to be notified)

at

(Location where notification is to be made)

by

(Describe the type of notification, when and how it is to be made and when and how

delivery is to be accomplished thereafter, or show that the shipper was requested to supply

a notification address but declined to do so, and such arrangements as have been made re-

specting delivery)

The rate(s) for the above described services is (are)

(Name the rate or rates, including minimum weights, minimum charges, and any

other minimum provisions involved, for transportation

(Concluded on following page)

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