

Decision No. 83641**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  
 Petition for Modification  
 No. 70  
 (Filed August 17, 1973)

ORDER OF DISMISSAL

Petitioner, the Public Interest Law Center, is a California nonprofit corporation which represents the interests of consumers within the State of California and elsewhere, including consumers who secure the services of household goods carriers operating within California pursuant to Commission permit and subject to Minimum Rate Tariff 4-B.

The petition herein alleges the following:

An urgent and unmistakable need presently exists for thoroughgoing Commission review and analysis of household goods carrier loss and damage liability systems existent both within and without the immediate purview of Commission regulations now in force or presently proposed or contemplated. Long overdue for Commission investigation and review are many important issues regarding household goods carrier loss and damage liability systems, including:

- a. Reasons for the alarming increase in consumer loss and damage complaints to the Commission in recent years.
- b. Modification of minimum released rate levels.

- c. Elimination or substantial revision of Minimum Rate Tariff 4-B, Item 80, Note 1, "Excess Valuation".
- d. The Commission's jurisdictional scope under Section 5139, California Public Utilities Code, respecting, inter alia, in-transit insurance.
- e. The need for staff development of independent data and information respecting needed improvement in present liability systems employed by household goods carriers.

Based on the foregoing allegations, petitioner prays that the Commission conduct an investigation including thoroughgoing development and analysis of reliable and comprehensive information to lead to the Commission's establishing reasonable regulations to be applied to household goods carriers for loss and damage to consumer's goods while such goods are subject to the carrier's control or custody, and hold public hearings to consider modification of the provisions of Minimum Rate Tariff 4-B affecting carrier liability for loss and damage to consumer's goods.

Subsequent to the filing of this petition, the Commission, in OSH 71 in Case No. 5330, ordered that hearings be held to receive evidence with respect to Commission staff proposals dealing with mandatory carrier obligation for loss and damage to household goods.

The Commission, in Decision No. 83640, issued today in OSH 71, adopted amendments to Minimum Rate Tariff 4-B with respect to liability of household goods carriers for loss and damage to shipments of household goods and a new General Order governing the maintenance of cargo insurance by such carriers. The results of said decision and the studies undertaken by the staff and other parties leading to the establishment of the rules and regulations adopted therein appear to satisfy the prayer of petitioner in this proceeding; therefore, Petition 70 should be dismissed.

IT IS ORDERED that Petition for Modification No. 70 in Case No. 5330, filed by Public Interest Law Center, is hereby dismissed.

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

Dated at San Francisco, California, this 22nd day of OCTOBER, 1974.

Thomas L. Stinson  
President  
William J. ...  
...  
...  
Commissioners

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