

Decision No. 83681**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
 tion into the rates, rules,)
 regulations, charges, allowances)
 and practices of all household)
 goods carriers, common carriers,)
 highway carriers and city)
 carriers relating to the trans-)
 portation of used household goods)
 and related property.)

Case No. 5330

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff 4-B (MRT 4-B) names minimum rates and rules for the statewide transportation of uncrated used household goods and related articles by highway permit carriers. Decision No. 82897 dated May 21, 1974, in this proceeding reinstated certain provisions of MRT 4-B which had been in effect prior to April 12, 1974.

It has been brought to the Commission's attention that the provisions pertaining to the "observance of quoted rates and charges" in paragraph (b) of Item 155 of MRT 4-B were not reinstated as intended by Decision No. 82897.

In the circumstances, the Commission finds that the tariff provisions in question should be reinstated by the order herein to reflect the intent of Decision No. 82897. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 4-B should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 4-B (Appendix C to Decision No. 65521, as amended) is further amended by incorporating therein, to become effective November 29, 1974, Sixth Revised Page 16, attached hereto and by this reference made a part hereof.

2. Tariff publications required to be made by common carriers as a result of this order 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 November 29, 1974.

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

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

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

Dated at San Francisco, California, this 6th day of November, 1974.

Vernon L. Stegman
President
William J. Spence, Jr.

Robert E. McIlwain
Commissioners

-2- Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">OBSERVANCE OF QUOTED RATES AND CHARGES</p> <p>(1) When a Probable Cost of Services Document is issued, the charges shall be determined under the provisions of Items 31, 31.1, 32, 33, 33.5 and 33.7 of the tariff.</p> <p>(2) In the event a Probable Cost of Services Document is not issued, 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 and 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>	155
<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>	160
Change, Decision No. 83681	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction