

Decision No. 83776

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on
the Commission's own Motion into the
Rules Governing the Extension of
Credit by Highway Carriers.

Case No. 9811
(Filed October 22, 1974)

SUPPLEMENTAL
ORDER INSTITUTING INVESTIGATION

It is apparent from the filings made thus far in this proceeding that our order of October 22, 1974 requiring that 12 copies of written data, views, or arguments is not being complied with and/or misinterpreted.

All filings in this proceeding should comply with Rules 2 through 8 of the Commission's Rules of Practice and Procedure. Specifically, Rule 7 requires that an original and 12 conformed copies of pleadings be filed.

It is also apparent that special procedural rules be established for this proceeding to apply after the effective date of this order.

An extension of time to file initial pleadings has been requested by the California Moving & Storage Association to December 30, 1974.

We believe that an extension of time, and the promulgation of special rules of procedure for this investigation, will be beneficial to the development of a comprehensive and definitive record. However, further extensions of time beyond December 30, 1974 will not be entertained.

IT IS ORDERED that:

1. The time for filing initial pleadings is extended from November 29, 1974 to December 30, 1974.

2. In addition to compliance with Rules 2 through 8 of the Rules of Practice and Procedure, the following special rules will apply for this proceeding:

- a. Subsequent to the effective date of this order, all pleadings filed in this proceeding shall comply with Rules 2 through 8 of the Rules of Practice and Procedure, attached hereto as Appendix A.
- b. Service of initial pleadings on other parties is not required.
- c. Initial pleadings will be available for inspection by the parties in the Commission's central file rooms at the State Building, Civic Center, San Francisco, and at the Los Angeles Office, 107 South Broadway, through February 28, 1975 for the purpose of preparing an answer or rebuttal.
- d. Answering or rebuttal pleadings, if any, shall be filed on or before March 30, 1975.
- e. Replies, if any, shall be served upon the party, or parties, whose pleading is answered or rebutted, and shall be filed on or before April 15, 1975.

The Secretary is directed to cause copies of this order to be mailed forthwith to every highway carrier of property operating

under the jurisdiction of this Commission, and to carriers' associations, shippers' associations, and parties who have specifically indicated a desire to participate in this proceeding.

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

Dated at San Francisco, California, this 26th
day of NOVEMBER, 1974.

Vernon L. Sturgeon
President
William J. Brown
John A. Brown
Robert E. McFarland
Commissioners

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2. Form and Size. Pleadings and briefs shall be type-written or printed upon paper 8½" wide and 11" long, and exhibits annexed thereto shall be folded to the same size. Unless printed, the impression shall be on one side of the paper only and shall be double-spaced, except that footnotes and quotations in excess of a few lines may be single-spaced. Pleadings shall be bound on the left side. Reproductions may be by any process, provided all copies are clear and permanently legible.
3. Title and Number. Pleadings, briefs and other documents shall show the title of the proceeding before the Commission and the docket designation and number assigned by the Secretary.
4. Signatures. The original of each application, petition, complaint, answer, or amendment shall be signed in ink by each party thereto. If such party is a corporation or association, the pleading may be signed by an officer thereof. Any attorney for or representative of a party shall also sign such pleading, and show his address and telephone number.

Motions, notices, briefs, and petitions for rehearing may be signed by an attorney or representative.

5. Verification. Applications or amendments thereto shall be verified by each applicant. Complaints or amendments thereto shall be verified by at least one complainant. Answers shall be verified by at least one of the defendants filing the same. If the party filing the pleading is a corporation or association, the pleading may be verified by an officer thereof.

Verification may be made before a notary public or by certification or declaration under the penalty of perjury.

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6. Signature and Verification by Attorney. Except in transfer proceedings (see Rule 35), the attorney for a party may sign and verify a pleading if such party is absent from the county where the attorney has his office, or from some cause is unable to sign and verify such pleading. When a pleading is signed and verified by the attorney, he shall set forth in the affidavit the reasons why the verification is not made by such party.
7. Copies. Unless otherwise required by the Commission, and except as to complaints (see Rule 11), there shall be filed with the Commission an original and twelve conformed copies of each pleading, or amendment thereof, and the original and twelve copies of each brief or petition for rehearing or petition for leave to intervene.
8. Amended Pleadings. Amendments to pleadings, and amended pleadings, may be filed before hearing, provided they are served upon all known interested parties, filed at least five days before the hearing, and contain a certification of service. Thereafter, pleadings may be amended as permitted, or directed, by the Commission or the presiding officer.