

ORIGINAL

Decision No. 83820

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 car-)
 riers relating to the transpor-)
 tation 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 for the transportation of uncrated used household goods and related articles by highway permit carriers between points in California.

The California Legislature recently amended Section 7262¹ of the Government Code relating to relocation assistance. Among other things, the amendment: (1) provides that the cost of moving a displaced person borne by a public entity shall be exempt from regulation by the Public Utilities Commission; (2) authorizes the public entity to solicit competitive bids from qualified bidders for performance of the work; and (3) exempts from regulation by the Public Utilities Commission bids submitted in response to such solicitations.

In the circumstances, the Commission finds that the aforementioned provisions of Section 7262 of the Government Code should be reflected in MRT 4-B. A public hearing is not necessary. The Commission concludes that MRT 4-B should be amended accordingly.

¹ Assembly Bill No. 4342 was approved by the Governor September 18, 1974 and filed with the Secretary of State on the same date.

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 January 1, 1975, Ninth Revised Page 6, attached hereto and by this reference made a part hereof.

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

3. Tariff publications 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 on not less than one day's notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff page incorporated in this order.

4. 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.

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

The effective date of this order shall be December 27,
1974.

Dated at San Francisco, California, this 10th day of
December, 1974.

Vernon L. Sturgeon
President
William Symons Jr.
Thomas Moran
[Signature]
Robert E. McLeod
Commissioners

SECTION 1--RULES (Continued)	ITEM
<p align="center">APPLICATION OF TARIFF--REGIONAL AND TERRITORIAL</p> <p>Rates in this tariff apply to transportation of shipments between all points within the State of California.</p>	17
<p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>(a) Except as otherwise provided by paragraph (b), rates in this tariff apply to the transportation of the following uncrated property:</p> <p>(1) Used household goods, viz.: household or personal effects such as furniture, furnishings, clothing, radios, musical instruments, stoves and refrigerators.</p> <p>(2) Used office and store fixtures and equipment, viz.: furniture, furnishings, and equipment such as is used in an office, store, hospital, library, museum, place of learning, or other institution.</p> <p>(b) Rates in this tariff will not apply to the following:</p> <p>(1) Property transported from, to, or between the place, or places, of business of a dealer in or auctioneer of the property described in paragraph (a) hereof, in connection with such business.</p> <p>(2) Property of the United States, state, county or municipal governments or property transported under an agreement whereby the governments contracted for the carrier's services.</p> <p>(3) Crated property consisting of commodities described in paragraph (a), except when transported in mixed shipments with uncrated property under the provisions of Item 65.</p> <p>(4) Baggage, except when transported in mixed shipments with uncrated property under the provisions of Item 65.</p> <p>(5) Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended.</p> <p>(6) Property transported for a displaced person when the cost thereof is borne by a public entity as provided in Section 7262 of the Government Code.</p> <p>(7) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.</p> <p>(8) Contents of a house when the contents are transported within the house.</p> <p>(9) Contents of trailer coaches and campers; furniture and other personal effects for use outside of trailer coaches when transported in conjunction with such vehicles at rates in Minimum Rate Tariff 18.</p>	20
<p align="center">DUAL OPERATIONS</p> <p>Where highway common carriers, as defined in the Public Utilities Act, are affiliated with radial highway common carriers, as defined in the Highway Carriers' Act or household goods carriers, as defined in the Household Goods Carriers Act, or where highway common carriers engage radial highway common carriers or household goods carriers, as agents or representatives, the following requirements shall be observed:</p> <p>(a) The operations of each carrier shall be conducted as those of a separate entity.</p> <p>(b) When all of the services desired are offered to the public by one or more of such carriers joint undertakings shall be engaged in only upon the shipper's specific request.</p> <p>(c) Explanation shall be made to all inquiries, when two or more such carriers provide services between the same points, what services are available and any differences in the character of the service and in the rates therefor.</p> <p>(d) All documents shall be issued and all records kept on a strictly individual carrier basis.</p> <p>(e) In respect of the requirements specified in paragraphs (a) to (d), inclusive, and in all other respects, the affairs of each carrier shall be so conducted that there will be no doubt as to which carrier is involved in one-carrier transactions and the nature and extent of individual carrier participation in joint undertakings.</p>	25
<p> ♂ Change * Addition) Decision No. 83820 </p>	
EFFECTIVE	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	