

Decision No. 86430

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own )  
motion into the adoption of a General )  
Order prescribing rules governing )  
handling of baggage and baggage claims )  
by all passenger stage corporations, )  
passenger vessel common carriers and )  
railroad corporations. )

Case No. 9511  
(Filed February 21, 1973)

ORDER DENYING REHEARING AND STAYING  
DECISION NO. 86164 AND PROVIDING  
FOR FILING OF COMMENTS

On February 21, 1973, the Commission adopted an Order Instituting Investigation as to the adequacy of existing regulation of baggage handling and claims and as to a proposed General Order to set rules in this field. On July 27, 1976, the Commission issued Decision No. 86164, adopting General Order No. 140 on the handling of baggage and baggage claims by passenger stage corporations. On August 5, August 6, and August 19, 1976, petitions for reconsideration and/or rehearing of Decision No. 86164 were filed by Airport Service, Inc., American Buslines, Inc., et al., and Airporttransit of California, Inc., respectively.

Having fully reviewed the petitions filed in this matter, we find that good cause has not been shown to grant rehearing of Decision No. 86164. We find specifically that the procedure followed in adopting General Order No. 140 was in accordance with law and did not violate Petitioners' right to due process of law.

We do find, however, that Decision No. 86164 should be amended to effect certain minor clarifying amendments of General Order No. 140. We further find that passenger stage corporations should be given the opportunity to file comments concerning General Order No. 140, as hereby amended, and that General Order No. 140 should therefore be stayed until further order of the Commission.

IT IS THEREFORE ORDERED that:

- (1) Rehearing of Decision No. 86164 is hereby denied.
- (2) Decision No. 86164 is hereby amended by revising certain provisions of General Order No. 140, as follows:
  1. In the second line of Rule 6, add the words "or loading stops" after the words "counter stations";
  2. In the fourth line of Rule 9, add the words "or loading stops" after the words "checking counters";
  3. In the first line of Rule 10, add the words ", subject to the limitations permitted by Civil Code §2205," after the words "assume full liability";
  4. In the first line of Rule 11, add the words ", subject to the limitations permitted by Civil Code §2205," after the words "assume full liability";
  5. In the fifth and sixth lines of Rule 11, delete the "s" from the word "exceptions" and delete the words "specify all articles intended to be excluded, and";
  6. In the first line of Rule 15, add the words "or loading stops" after the words "counter stations";
  7. In the first line of Rule 16, add the words "if reasonably warranted" after the word "shall".
- (3) General Order No. 140, as herein amended, is hereby stayed until further order of the Commission.
- (4) Each passenger stage corporation may file with the Commission comments concerning General Order No. 140, as herein amended, on or before December 15, 1976.

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(5) The Executive Director shall cause a copy of this order to be mailed to each passenger stage corporation.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 21<sup>st</sup> day of SEPTEMBER, 1976.

President  
William J. Quinn  
Vernon L. Sturgeon  
Leonard Von  
Robert Batmancil  
Commissioners

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