

MAY 22 1992

Decision 92-05-069 May 20, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
for the purpose of considering and )  
determining minimum rates for )  
transportation of used household )  
goods and related property statewide )  
as provided in the Minimum Rate )  
Tariff 4-C and the revisions or )  
reissues thereof. )

**ORIGINAL**

Case 5330  
Petition for Modification 124  
(Filed May 23, 1991)

Edward J. Hegarty, Attorney at Law, and  
Douglas Hill, for California Moving &  
Storage Association, petitioners.  
Thomas Hays, for Pacific Traffic Service, and  
Tad Muraoka, for himself, interested  
parties.  
Alberto Guerrero, Attorney at Law, and Lynn  
Maack, for the Division of Ratepayer  
Advocates.

O P I N I O N

Summary

This decision closes the proceeding in Case 5330,  
Petition for Modification 124 (Petition 124).

Background and Discussion

On May 23, 1991, California Moving & Storage Association  
(CMSA) filed Petition 124 requesting a rate increase in Minimum  
Rate Tariff (MRT) 4-C.

Hearings on Petition 124 were held August 14, 1991 before  
Administrative Law Judge (ALJ) Garde. ALJ Garde's proposed  
decision was filed and mailed to the parties on November 10, 1991.  
Since the filing of ALJ Garde's proposed decision, the Commission's  
Division of Ratepayer Advocates (DRA) has filed a motion to set  
aside submission of Petition 124 and to reopen the proceeding to

receive further evidence. CMSA has filed a response to DRA's motion requesting that the motion be denied.

We have adopted a new maximum rate regulatory program, establishing maximum rather than minimum rates for this industry, in Decision (D.) 92-05-28 in Investigation 89-11-003. As these rates will take effect soon, any revisions to MRT 4-C rates are unnecessary. Accordingly, we will deny Petition 124 and DRA's motion to set aside submission. We will close the proceeding in Petition 124.

Since D.92-05-028 is now effective, this order should be effective immediately.

Findings of Fact

1. CMSA filed Petition 124 requesting a rate increase in MRT 4-C.
2. Adoption of maximum, rather than minimum, rate regulation and establishment of MAX 4 rates make it unnecessary to revise MRT 4-C as requested in Petition 124.

Conclusions of Law

1. Petition 124 should be denied.
2. This proceeding should be closed.
3. This order should be effective immediately.

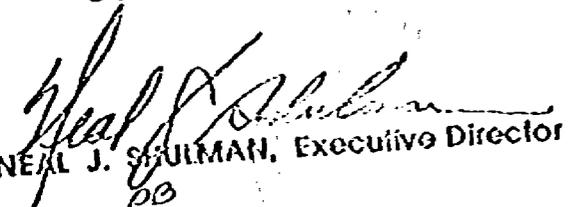
O R D E R

IT IS ORDERED that Petition for Modification 124 in Case 5330 is denied. This proceeding is closed.

This order is effective today.

Dated May 20, 1992, at San Francisco, California.

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY

  
NEAL J. SCHULMAN, Executive Director  
PB

DANIEL Wm. FESSLER  
President  
JOHN B. OHANIAN  
NORMAN D. SHUMWAY  
Commissioners

Commissioner Patricia M. Eckert,  
being necessarily absent, did  
not participate.