

ORIGINAL

Decision No. 87049

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 general commodities within San Diego County as provided in Minimum Rate Tariff 9-B and the revisions or reissues thereof.

Case No. 5439
Petition for Modification
No. 301
(Filed January 31, 1977;
amended February 4, 1977)

SUPPLEMENTAL INTERIM OPINION AND ORDER

Decision No. 87048, entered today in Case No. 5432 (Petition 945) et al., found that rates and charges in Minimum Rate Tariff 9-B should be made subject to certain increases and that amendment of the tariff should be accomplished by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective April 1, 1977, Supplement 21, attached hereto and by this reference made a part hereof.
2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 67766, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.
3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 9-B are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 9-B rates.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 9-B rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 9-B are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 9-B rates.

5. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 9-B are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 9-B rates.

6. Tariff publications required or authorized 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 fifth day after the effective date of this order, on not less than five days' notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than April 1, 1977; and as to tariff publications which are authorized but not required, the authority shall expire unless exercised within sixty days after the effective date of this order.

7. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Section 461.5 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

8. In all other respects Decision No. 67766, as amended, shall remain in full force and effect.

C.5439, Pet. 301 dz

9. To the extent not granted herein, Petition 301, as amended in Case No. 5439 is continued pending further hearing.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 9th day of MARCH, 1977.

I concur for the reasons stated in (TD-2) 87048 Leonard Ross
Commissioner

Robert Betts

President
Leonard Ross

Richard D. Howell

Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

SPECIAL INCREASE SUPPLEMENT

SUPPLEMENT 21

(Cancels Supplement 19)

(Supplements 15, 20 and 21 Contain All Changes)

TO

MINIMUM RATE TARIFF 9-B

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY

OVER THE PUBLIC HIGHWAYS

WITHIN A

DEFINED SAN DIEGO DRAYAGE AREA

BY

HIGHWAY CONTRACT CARRIERS

RADIAL HIGHWAY COMMON CARRIERS

AND

DUMP TRUCK CARRIERS

APPLICATION OF SURCHARGE

(See Page 2 of This Supplement)

Decision No. **87049**

EFFECTIVE APRIL 1, 1977

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California 94102

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the provisions of this tariff, including any surcharges applicable thereto under other supplements to this tariff, and increase the amount so computed as follows:

1. By thirteen percent (13%) on charges computed upon rates subject to minimum weights of 40,000 pounds and over.
2. By fourteen percent (14%) on charges computed upon rates subject to minimum weights of 10,000 pounds but less than 40,000 pounds.
3. By fifteen percent (15%) on all other rates and charges.

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half cent shall be dropped and fractions of one-half cent or greater shall be increased to the next higher whole cent.

EXCEPTIONS: The surcharge provided in this supplement shall not be applied to those charges determined under provisions of this tariff specified below:

- (a) Item 110, Alternative Application of Common Carrier Rates (railhead to railhead portion only).
- (b) Item 150, Charges for Escort Service.
- (c) Item 167, Failure to Accomplish Delivery.
- (d) Item 182, Collect on Delivery (C.O.D.) Shipments.
- (e) Item 420, Parcel Rates.

THE END