

ORIGINAL

Decision No. 87050

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 in the Counties of Contra Costa, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma, and in the County of Alameda and in the City and County of San Francisco as provided in Minimum Rate Tariffs 1-B and 19, respectively, and the revisions or reissues thereof.

Case No. 5441
Petition for Modification
No. 383
(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 Tariffs 1-B and 19 should be made subject to certain increases and that amendment of the tariffs should be accomplished by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 1-B (Appendix B of Decision No. 65834 as amended) is further amended by incorporating therein, to become effective April 1, 1977, Supplement 26, attached hereto and by this reference made a part hereof.

2. Minimum Rate Tariff 19 (Appendix A of Decision No. 41363 as amended) is further amended by incorporating therein, to become effective April 1, 1977, Supplement 35, attached hereto and by this reference made a part hereof.

3. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decisions Nos. 65834 and 41363, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.

4. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariffs 1-B and 19 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariffs 1-B and 19 rates.

5. Common carriers maintaining rates on the same level as Minimum Rate Tariffs 1-B and 19 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariffs 1-B and 19 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariffs 1-B and 19.

6. 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 Tariffs 1-B and 19 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariffs 1-B and 19 rates.

7. 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.

C.5441, Pet. 383 dz

8. 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.

9. In all other respects Decisions Nos. 65834 and 41363, as amended, shall remain in full force and effect.

10. To the extent not granted herein, Petition 383, as amended, in Case No. 5441 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 21) Dec. No. 87048 Leonard Ross
Commissioner

Robert Buttrum

President

William L. Symons, Jr.

Leonard Ross

Robert W. ...

Commissioners

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

SPECIAL INCREASE SUPPLEMENT

SUPPLEMENT 26

(Cancels Supplements 16 and 24)

(Supplements 20, 25 and 26 Contain All Changes)

TO
MINIMUM RATE TARIFF 1-B

NAMING
MINIMUM RATES AND RULES
FOR THE
TRANSPORTATION OF PROPERTY OVER THE
PUBLIC HIGHWAYS WITHIN AND
BETWEEN THE CITIES OF
ALAMEDA ALBANY BERKELEY
EMERYVILLE OAKLAND PIEDMONT

BY
RADIAL HIGHWAY COMMON CARRIERS
HIGHWAY CONTRACT CARRIERS
CEMENT CONTRACT CARRIERS
AND
DUMP TRUCK CARRIERS

APPLICATION OF SURCHARGE
(See Page 2 of this Supplement)

Decision No.

87050

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 fourteen percent (14%) on charges computed upon rates subject to minimum weights of 40,000 pounds and over.
2. By fifteen percent (15%) on charges computed upon rates subject to minimum weights of 10,000 pounds but less than 40,000 pounds.
3. By sixteen percent (16%) 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 130, Alternative Application of Common Carrier Rates (railhead to railhead portion only).
- (b) Item 152, Collect on Delivery (C.O.D.) Shipments.
- (c) Item 160, Charges for Escort Service.
- (d) Item 180, Failure to Accomplish Delivery.
- (e) Item 850, Parcel Rates.

THE END

SPECIAL INCREASE SUPPLEMENT

SUPPLEMENT 35

(Cancels Supplement 33)

(Supplements 29, 34 and 35 Contain All Changes)

TO

MINIMUM RATE TARIFF 19

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY OVER THE

PUBLIC HIGHWAYS

OF THE

CITY AND COUNTY OF SAN FRANCISCO

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

DUMP TRUCK CARRIERS

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2. By fifteen percent (15%) on charges computed upon rates subject to minimum weights of 10,000 pounds but less than 40,000 pounds.
3. By sixteen percent (16%) 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 104, Charges for Escort Service.
- (b) Item 112, Collect on Delivery (C.O.D.) Shipments.
- (c) Item 140, Delays in Delivery.
- (d) Item 265, Alternative Application of Common Carrier Rates (railhead to railhead portion only).
- (e) Item 425, Parcel Rates.

THE END

Increase, Decision No.

87050