

Decision No. 87973 OCT 12 1977

ORIGINAL

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 state- )  
wide as provided in Minimum Rate )  
Tariff 4-B and the revisions or )  
reissues thereof. )

Case No. 5330  
Petition for Modification  
No. 99

(Filed November 3, 1976)

Thomas J. Hays and Thomas M. Loughran, for  
California Moving and Storage Association,  
petitioner.  
John C. Jessup, for Foremost McKesson, Inc.,  
protestant.  
C. D. Gilbert, J. C. Kaspar, and H. W. Hughes,  
for California Trucking Association,  
interested party.  
Gene Peters, for the Commission staff.

O P I N I O N

Petitioner California Moving and Storage Association, Inc. requests that the document entitled "Important Notice to Shippers of Household Goods (the notice)" found in Items 430 to 433 in Minimum Rate Tariff 4-B (MRT 4-B) and Item 30, paragraph 8 of MRT 4-B,<sup>1/</sup> which requires the notice to be furnished to shippers of household goods, be amended to the extent set out in its petition. A public hearing was held before Administrative Law Judge Pilling in San Francisco on February 7, 1977. Petitioner, a trucking industry association claiming approximately 650 household goods members comprising 60 percent of California household goods carriers transporting 85 percent of the total volume of household goods moves within the state, contends that the present Notice, an informational summary,

<sup>1/</sup> Subsequent to the submission of this matter, Decision No. 86965 dated February 15, 1977 amended MRT 4-B by, among other things, adding a numbered paragraph to Item 30. The paragraph under consideration is now numbered 9.

fails to provide sufficient descriptive information about various services available to the public and is not clear enough in explaining the responsibilities of the carrier or the shipper. The Commission staff agrees in the main with the petitioner's suggested changes, but the staff and the lone public witness disagree with petitioner's request that petitioner's name be included in three parts of the Notice and that a consumer questionnaire to be sent to petitioner be included as part of the notice. The three places in the notice where petitioner's name would appear are quoted from Exhibit 1 as follows:

"It has been prepared with the assistance of other state agencies and interested consumer and carrier groups and the California Moving and Storage Association in the development of this information."  
(Page 2)

"If you have a problem about a move within the state that you and the carrier cannot resolve, please call any PUC office. The California Moving and Storage Association will supply individual carrier information toll free at (800)662-9852."  
(Page 3)

"In California you can select from approximately 1165 PUC authorized movers, including more than 600 members of the California Moving and Storage Association. To obtain a list of members in your area, call the Association toll free at (800)662-9852." (Page 4)

The proposed consumer questionnaire is referred to in the last paragraph of the notice as follows:

"You are urged to complete and return the tear out questionnaire included with this pamphlet. The information will be compiled with other replies to help us learn more about 'making moving easier.'" (Exhibit 1, Page 17)

Petitioner supports the inclusion of its name in the Notice by stating that it will give prospective customers a source from which they may obtain more data about moving, about individual moving companies, and about solving problems after the fact. Petitioner feels that it

is in a position to offer help to customers in certain areas where perhaps the Commission staff cannot, such as in the matter of freight damage claims. Certain state agencies are named in the Notice as well as the Better Business Bureau and petitioner thinks it is entitled to the same recognition. As a matter of fact, the general rewrite of the notice as proposed by petitioner was undertaken at the request of two of the Commissioners. In regard to the consumer questionnaire the witness for petitioner stated that it was immaterial whether the questionnaire was to be returned to petitioner or to the Commission staff. The important thing is that a return of the questionnaire will give access to statistical information not previously available and help the moving industry locate its problem areas.

The Commission staff feels that placing petitioner's name in the Notice is merely a form of advertising and that petitioner is not alone in representing household goods carriers and movers. Additionally, if petitioner's name were included as a source of carrier information, any carrier willing to give out such information to prospective shippers could rightly demand to have its name included. The staff feels that petitioner's members would gain an extreme advantage over nonmembers because petitioner would not recommend or report on carriers who were not members of petitioner.

One other point of disagreement between the staff and petitioner is how to handle the matter of the reweighing of a shipment. Petitioner suggests the following words (Exhibit 1, Page 9):

"You will be charged for the reweigh if there is no substantial difference within limits prescribed by PUC regulations."

The staff introduced Exhibit 2 which offered a number of changes to Exhibit 1, among which they suggest the following wording:

"Reweighing will be accomplished only where it is practicable to do so. Scales are listed in the yellow pages of the telephone directory as: 'Weighers - Public'. An extra charge may be made for reweighing, but only if the difference

between the two net weights obtained does not exceed 100 pounds (if your shipment weighs 5,000 pounds or less) or does not exceed two percent of the lower net weight (if your shipment weighs more than 5,000 pounds). The lower of the two net weights must be used in determining the charges."

Petitioner feels the staff's suggested wording is too complex, while the staff's position is that its wording is necessary to explain "substantial difference" in petitioner's wording, otherwise the meaning is vague and persons may be dissuaded from requesting a reweigh.

The staff is opposed to having the questionnaires sent to the Commission because the staff feels it does not have sufficient manpower or time to process the 25,000 to 30,000 questionnaires it estimates will be sent to the Commission each year.

Petitioner introduced into evidence parts of the Complete California Consumer Catalogue published by the California Department of Consumer Affairs which states at page 138, under the section entitled "Moving":

"2. The California Moving and Storage Association, the state's moving industry organization, also will attempt to mediate complaints. The organization is trying to improve the image of the moving industry, but it does not really have any power to resolve disputes. If you have a complaint, call:

California Moving and Storage Association  
2025 Gateway Place, Suite 474  
San Jose, CA 95110

Toll-free number: (800)662-9852"

The staff also suggests that Item 30, paragraph 9 of MRT 4-B, be amended to read as set out in Appendix A. Petitioner does not object to this proposed amendment.

Discussion

The proposed revision of the Important Notice to Shippers will be beneficial to all parties and should be implemented. We agree with the staff's position that petitioner's name should not appear in the Notice. The inclusion of petitioner's name in the pages of a Commission tariff which are required to be delivered to prospective shippers could give the appearance that the Commission is sponsoring petitioner to the exclusion of other carrier groups having household goods carrier members and of other household goods carriers who are not members of any carrier group. Carriers in the latter two categories may have an aversion to being required to circulate a writing which gives publicity only to petitioner and none to themselves or to the organization with which they have chosen to affiliate. Furthermore, including petitioner's name in the Notice as an organization to contact respecting carrier-shipper disputes also lends the appearance that the Commission is endorsing petitioner as an impartial arbiter when in reality petitioner is acting as the representative of the complained-against carrier member in a great many activities, which may suggest a possible conflict of interest. For these reasons we will deny petitioner's request to have its name included in the Notice.

With regard to the questionnaire, we agree with petitioner that the inclusion of a consumer questionnaire in the Important Notice could provide the Commission with useful information on the moving industry. It would, however, be improper for the Commission to delegate the collection of such information, which would concern both petitioner's members and nonmembers, to any but the Commission's own staff. ✓

We also agree with the staff's handling of the matter of reweighing as opposed to that of the petitioner. Petitioner's wording begs the question "What is judged to be a substantial difference?", while the staff's wording leaves no doubt of the rights and responsibilities of the shipper in deciding whether or not to request a reweigh.

The Important Notice to Shippers now shown as Items 430 to 433 of Minimum Rate Tariff 4-B requires approximately two tariff pages. The revised Notice, if incorporated into the tariff, would require at least eight tariff pages. A copy of our tariff is usually not readily available to the residential household goods shipper.

Each year the Commission and its staff receive numerous requests from the public for printed information concerning the regulation of household goods carriers. Outside of the minimum rate tariff, which presently costs \$6.50, there is no printed information of this nature available for distribution.<sup>2/</sup>

The return of the questionnaires referred to above to the Commission should be encouraged in order to provide the most useful information. This could be accomplished by the Commission prepaying the postage. The most satisfactory way to do this would be by the use of business reply post cards made available by the Commission as such cards must conform to detailed postal regulations. It would be beneficial to the household goods shippers, who are direct consumers of transportation services and to all involved in the industry to have the Notice to Shipper information and the prepaid questionnaire card readily available. Therefore, the Commission

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<sup>2/</sup> The Interstate Commerce Commission (ICC) has a requirement that Interstate household goods carriers provide their customers with an informational summary of the regulations affecting moving. This summary is in booklet form and includes a consumer questionnaire in the form of a post card addressed to the ICC in Washington, D.C. Postage is paid by the ICC upon receipt.

should have a booklet printed incorporating the information and the questionnaire, and require the carriers to distribute it to shippers.

The text of the pamphlet is set forth in Appendix B of this order. The final printed version, however, will not be available for many months. The printed pamphlet will be of such size (approximately 6" x 9") as to facilitate mailing and will be distinguishable by the color of its cover. The consumer questionnaire included with the pamphlet will conform to U. S. postal regulations and have imprinted on it the Commission's business reply mail permit number. The estimated sale price of the pamphlet will be about 10 cents per copy.

Household goods carriers may distribute additional information or advertising matter along with the pamphlet.

The staff has expressed concern that it will not have sufficient manpower or time to process the questionnaires mailed to the Commission. In view of the fact that the Commission will pay the postage, we expect that a large number of questionnaires will be returned. The staff's responsibilities with regard to them will be as follows: The consumer questionnaires will be tabulated by electronic data processing and other than an annual summary report which will be available to the public on request, no other tabulation of the data will be made. Questionnaires received by the Commission will not be viewed as filed complaints since adequate means already exist for communicating specific consumer problems to the Commission. Questionnaires will be disposed of once they have been tabulated. Under these conditions it appears that the additional work required can be handled by our present staff.

The program outlined herein will be monitored and its effectiveness reevaluated after it has been in effect for one year to determine if it should be continued or modified.

Findings

1. Petitioner requests that Item 30, paragraph 9, and Items 430 to 433 of MRT 4-B be revised in accordance with its Exhibit 1.

2. Petitioner requests, among other things, that its name be included in the Notice furnished shippers pursuant to Items 430 to 433 and that a consumer questionnaire for answering by the shipper be included as part of the Notice. The Commission staff considers it improper to include petitioner's name in the Notice and the questionnaire.

3. Including petitioner's name in the Important Notice as petitioner requests would be improper.

4. The inclusion of the Important Notice of a consumer questionnaire, to be returned to the Commission by shippers of household goods, would provide useful information concerning the moving industry.

5. The revision of Item 30, paragraph 9, as proposed by the Commission staff is reasonable.

6. The revisions to the Important Notice requested by petitioner as amended by the Commission staff in Exhibit 2 together with the amendments made by Decision No. 86965 are just and reasonable.<sup>3/</sup>

7. The Important Notice should be removed from the pages of MRT 4-B and printed under the direction of the Commission as a separate booklet which is available for sale to the public and carriers.

8. The Important Notice booklet should include a prepaid post card questionnaire.

9. Consumer questionnaires completed by shippers and returned to the Commission should be held confidential in regard to

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<sup>3/</sup> As mentioned in Footnote 1, additional amendments have been made to MRT 4-B since the submission of the current matter. Two additional paragraphs, which are very important to shippers of household goods, were added to Item 431. These paragraphs are headed "Preferred Pickup Date - Delay" and "Delay Claims" and are not as adequately covered in Exhibits 1 or 2 as they are in the present tariff page. These paragraphs will be retained.



individual shippers and carriers and made available to interested persons in summary form only.

10. Completed questionnaires should be handled as an information gathering activity only and not as complaints, and other than processing and tabulating the data, no other action should be taken on them by the staff.

11. Carriers should be permitted to distribute additional information with the Notice, such as advertising, which is clearly separate from the text of the Important Notice prescribed by this order.

12. The revisions of the items as authorized herein will not result in either an increase or a decrease of the rates and charges set out in MRT 4-B.

13. The wording proposed by the Commission staff in the matter of reweighing a shipment is preferable to that proposed by petitioner and should be adopted.

14. The program established by this order should be monitored by the staff to evaluate its effectiveness and to determine if it should be continued or modified.

#### Conclusion

In accordance with the foregoing findings the Commission concludes as follows:

1. Petitioner's request that its name be included in the revised Notice should be denied.

2. Further revision of MRT 4-B should be made as set out in Appendix A.

3. The Important Notice should be separately published by the Commission and made available to carriers, who should be required to distribute it to prospective shippers.

4. The Important Notice should include a consumer questionnaire to be returned to the Commission.

5. Revision of the text of the Important Notice should be as set forth in Appendix B.

individual shippers and carriers and made available to interested persons in summary form only.

10. Completed questionnaires should be handled as an information gathering activity only and not as complaints, and other than processing and tabulating the data, no other action should be taken on them by the staff.

11. Carriers should be permitted to distribute additional information with the Notice, such as advertising, which is clearly separate from the text of the Important Notice prescribed by this order.

12. The revisions of the items as authorized herein will not result in either an increase or a decrease of the rates and charges set out in MRT 4-B.

13. The wording proposed by the Commission staff in the matter of reweighing a shipment is preferable to that proposed by petitioner and should be adopted.

14. The program established by this order should be monitored by the staff to evaluate its effectiveness and to determine if it should be continued or modified.

#### Conclusion

In accordance with the foregoing findings the Commission concludes as follows:

1. Petitioner's request that its name be included in the revised Notice should be denied.

2. Further revision of MRT 4-B should be made as set out in Appendix A.

3. The Important Notice should be separately published by the Commission and made available to carriers, who should be required to distribute it to prospective shippers.

4. The Important Notice should include a consumer questionnaire to be returned to the Commission.

5. Revision of the text of the Important Notice should be as set forth in Appendix B.

O R D E R

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 March 18, 1978, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are by this reference made a part hereof.
2. The text and content of the revised Important Notice to Shippers is set forth in Appendix B to this order which by this reference is made a part hereof.
3. The Commission's staff is directed to have the Important Notice to Shippers, Appendix B printed in booklet form and to have it available for sale to the public and carriers in February 1978.
4. With respect to individual shippers and carriers, responses to the consumer questionnaire are to be treated as confidential information by the Commission's staff.
5. The Commission's staff is further directed to undertake the collection of data from the completed consumer questionnaires and to tabulate it annually as a summary report. Such report will then be made available to interested persons.
6. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 65521, as amended, are directed to establish in their tariffs the changes necessary to conform with the further adjustments ordered by this decision.
7. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than March 13, 1978, and shall be made effective not earlier than the fifth day thereafter, 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 March 25, 1978.

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

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of OCTOBER, 1977.

Robert Bateman  
President  
William J. S. S. S.  
Secretary  
Richard D. Howell  
David T. D. D.  
Commissioners

APPENDIX A

LIST OF REVISED PAGES  
TO MINIMUM RATE TARIFF 4-B

ELEVENTH	REVISED	PAGE	2
SIXTH	REVISED	PAGE	7
SIXTH	REVISED	PAGE	33
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SIXTH	REVISED	PAGE	34-A
FIFTH	REVISED	PAGE	35

(END OF APPENDIX A LIST)

## MINIMUM RATE TARIFF 4-B

## ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

- Section 1 - Rules
- Section 2 - Regional and Territorial Descriptions
- Section 3 - Rates
- Section 4 - Forms of Documents

TABLE OF CONTENTS	Item Except As Shown (Inclusive)
CORRECTION NUMBER CHECKING SHEET-----	Page 1
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**	
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<p>** Eliminated, Decision No. <b>87973</b></p>	
EFFECTIVE	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	
Correction	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">RELATIONSHIPS WITH THE PUBLIC</p> <p>1. Any carrier doing business under one or more fictitious names shall, with respect to each fictitious name comply with Chapter 5 of Part 3 of Division 7 of the Business and Professions Code of California entitled, "Fictitious Business Names" (and subsequent amendments thereto), and to show compliance therewith such carrier shall file with this Commission certified copies of fictitious business name statements and affidavits of publication required to be filed with the clerk of the county in which the principal place of the carrier is, or in the case of cessation of doing business was, situated.</p> <p>2. Upon abandonment of use of fictitious business name, any carrier doing business under one or more fictitious names shall file with this Commission a statement of abandonment of use of fictitious business name.</p> <p>3. Carriers shall show the following information on their stationery, shipping documents and related forms:</p> <p>(a) All names, both real and fictitious, used by the carrier in conducting its operations.</p> <p>(b) The address of its principal place of business, designated as such, and of such local offices as may be desired where business with the public is conducted.</p> <p>(c) Identification of the name under which the particular transportation is performed where more than one name is listed.</p> <p>4. The books of account of each carrier shall be maintained in such form as to show separately the revenues derived from the operations conducted under each name used by such carrier.</p> <p>5. Carriers listing more than one name in the classified section of a telephone directory shall cross-reference each such name to all other such names so listed.</p> <p>6. Carriers shall not advertise rates in any telephone directory.</p> <p>7. Printed advertising matter, including hand bills, newspaper advertising, and telephone directory advertisements which advertise or solicit the intrastate movement of used household goods within the State of California shall show the household goods carrier's "T" file number as issued by the Commission. The number shall be printed in this manner: "CAL.P.U.C. T-_____."</p> <p>8. Carriers shall not, in any manner, misrepresent the scope of their services which are offered and made available to the public. Specifically carriers shall:</p> <p>(a) Not advertise or otherwise represent themselves under any name different from that under which their effective permits are issued by the Commission.</p> <p style="text-align: center;">EXCEPTION.--Carriers who are duly authorized agents for other carriers as defined herein, for highway common carriers as defined in the Public Utilities Act, or for motor carriers operating under the jurisdiction of the Interstate Commerce Commission, may advertise and represent themselves as such an agent.</p> <p>(b) Not advertise or otherwise represent that carrier operations are conducted at addresses or locations where the carrier or his duly authorized agent does not maintain a place of business. The location of a telephone answering service is not "a place of business" as such term is used in this item.</p> <p>(c) Not include in any advertising misleading description and displays of nonexistent facilities.</p> <p>89. Carriers shall furnish to each prospective shipper of the goods described in Item 20 paragraph (a) (1) a copy of the Commission's informational booklet entitled "Important Notice to Shippers of Household Goods". This booklet shall be given to the prospective shipper at the time of first in-person contact between the carrier's personnel and the shipper or the shipper's representative. The mandatory receipt for the informational booklet shall be retained in the carrier's records for a period of three years.</p> <p>Failure of the carrier to furnish the booklet to the prospective shipper at the proper time is a violation of the documentation requirements of this tariff.</p>	#30
Change ) Δ Change, neither increase ) Decision No. nor reduction )	87973
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

SECTION 4--FORMS OF DOCUMENTS (Continued)	ITEM
<p data-bbox="492 334 1057 362">IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS</p> <p data-bbox="674 862 845 888">Item Cancelled</p>	<p data-bbox="1374 862 1428 888">ø430</p>
<p data-bbox="317 1353 829 1397">ø Change, Decision No. 87973</p>	
<p data-bbox="1053 1750 1164 1772">EFFECTIVE</p>	
<p data-bbox="218 1821 343 1843">Correction</p> <p data-bbox="581 1793 1417 1849">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	



MINIMUM RATE TARIFF 4-B

SECTION 4--FORMS OF DOCUMENTS (Continued)	ITEM
<p data-bbox="508 314 1077 358">IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS (Continued)</p> <p data-bbox="690 952 865 978">Item Cancelled</p>	<p data-bbox="1384 934 1433 960">ø431</p>
<p data-bbox="337 1589 601 1616">ø Change, Decision No.      <b>87973</b></p>	
<p data-bbox="1077 1747 1189 1773">EFFECTIVE</p>	
<p data-bbox="244 1830 370 1856">Correction</p> <p data-bbox="621 1808 1443 1852">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

## MINIMUM RATE TARIFF 4-B

SECTION 4--FORMS OF DOCUMENTS (Continued)	ITEM
<p data-bbox="508 347 1077 398">IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS (Continued)</p> <p data-bbox="693 918 868 943">Item Cancelled</p>	<p data-bbox="1384 907 1438 931">ø432</p>
<p data-bbox="337 1451 816 1491">ø Change, Decision No.      <b>87973</b></p>	
<p data-bbox="1077 1805 1196 1827">EFFECTIVE</p>	
<p data-bbox="257 1892 386 1915">Correction</p> <p data-bbox="624 1848 1453 1892">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

MINIMUM RATE TARIFF 4-D

SECTION 4--FORMS OF DOCUMENTS (Continued)	ITEM
<p data-bbox="520 316 1082 360">IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS (Continued)</p> <p data-bbox="693 971 867 993">Item Cancelled</p>	<p data-bbox="1379 971 1428 993">ø433</p>
<p data-bbox="330 1539 586 1561">ø Change, Decision No.</p> <p data-bbox="677 1539 817 1594">87973</p>	
<p data-bbox="1057 1758 1172 1779">EFFECTIVE</p>	
<p data-bbox="239 1823 363 1845">Correction</p> <p data-bbox="602 1801 1428 1856">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

C.5330 Pet. 99

APPENDIX B

C.5330 Pet. 99

IMPORTANT NOTICE  
TO SHIPPERS  
OF HOUSEHOLD GOODS  
(WITHIN CALIFORNIA)

CALIFORNIA PUBLIC UTILITIES COMMISSION

C.5330 Pet. 99

ADVERTISING

IMPORTANT NOTICE  
TO SHIPPERS  
OF HOUSEHOLD GOODS  
(within California)

The California Public Utilities Commission requires that this pamphlet entitled, Important Notice to Shippers of Household Goods, shall be given by household goods carriers without charge to each prospective intrastate shipper of used household goods as described in Item 20, paragraph (a)(1) of Minimum Rate Tariff 4-B.

Issued by the

CALIFORNIA  
PUBLIC UTILITIES COMMISSION

in

Decision No. , dated October , 1977,  
in Case No. 5330, Petition 99.

Advertising may be placed on designated pages only.

C.5330 Pet. 99

For sale at any office of the  
California Public Utilities Commission.



IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

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BUSINESS REPLY POST CARD

BACK COVER

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

A - INTRODUCTION

You can coordinate the move of your household goods more efficiently, more safely and at the least possible cost if you are aware of specific regulations and information about the moving industry in California. The California Public Utilities Commission (PUC), the Agency of the State Government which regulates the practices of household goods movers operating within California, requires that this information summary be given to you by the mover. This summary is written for your benefit and protection. It is important that you read it carefully and thoroughly. The brochure is designed to provide you with a summary of the necessary information to ensure a smooth move. It has been prepared with the assistance of other state agencies, and interested consumer and carrier groups.

Specific government regulations have been adopted over the years to protect you and the mover. Such rules, regulations and rate requirements for moves within California are provided in Public Utilities Commission Minimum Rate Tariff 4-B. A copy of this tariff and all forms and documents used by the mover can be examined either at the mover's place of business or at the PUC offices located throughout the State, as listed in back of this booklet. The information presented here in non-technical language is designed to assist you in planning your move; however, in the event of conflict the specific rules and regulations contained in Minimum Rate Tariff 4-B shall govern.

If you have a problem about a move within the State that you and the carrier cannot resolve, please call any PUC office.

B - SOME FREQUENT QUESTIONS

It's important to have a clear understanding and a cooperative spirit between you and your mover. Here are some common questions:

- How do I select a mover?
- Is he licensed by the PUC?
- Can I be assured he is competent?
- What about past performance...can this be checked?
- Who will recommend a mover to me?
- How much will it cost?
- Do I pay extra for packing?
- Are rates different for short hauls versus longer moves?
- Can I get an estimate?
- Will I know what it will cost right from the beginning?
- Will the mover deliver my goods on time?
- How about pickup; can I be assured of a definite schedule?
- If something is lost or broken, to what extent is the mover liable?
- How do I make a claim in the event of loss or damage?
- How do I prove an item has been damaged in the move?

Answers to these and other questions are presented on the following pages.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

C - HOW TO CHOOSE YOUR MOVER

In California you can select from approximately 1165 PUC authorized movers. Some carriers (frequently called "movers") perform the transportation of household goods themselves, other carriers act as agents for the carriers who do the actual hauling. In some instances, the transportation is arranged by brokers. You should be sure to obtain the complete and correct name, home address, and telephone number of the carrier which is to transport your shipment, and keep that carrier informed as to how and where you may be reached at all times until the shipment is delivered.

If time permits, competent movers will allow you to visit their companies to observe their operations. Additionally, some realtors will relate information to you based upon customers' experiences.

The PUC prepares a summary of the Household Goods Carrier Semi-Annual Reports of Underestimates and Penalties. Only those carriers who reported giving estimates are shown on the summary, which will give you some idea as to the accuracy of their estimates. A copy of the summary may be obtained by writing to the PUC.

In addition, interstate movers (between states), must report to the Interstate Commerce Commission the accuracy of their estimates, delays in pickup and delivery, and the frequency of damage claims on interstate moves. The 'report card' is available to interstate shippers from the mover. Carrier associations, business groups, chambers of commerce and consumer organizations may also be a source of information.

D - HOW TO GET AN IDEA OF THE COST

In California, moving companies are not required to provide you with an estimate for an intrastate move (within California), however, many carriers would be pleased to give you an estimate. Such estimate is referred to as a Probable Cost of Services, and must be in writing. An oral estimate is illegal, not binding, and has no effect on final charges. When a Probable Cost of Services is provided, the mover cannot charge you any amount which exceeds the estimate by more than two and one-half percent or \$15.00 (whichever is greater) for long distance moves, plus the amount on the Addendum Order for Service, if any. On local hourly moves (less than 50 miles), the mover cannot charge more than ten percent above the estimate or \$15.00, whichever is greater, plus the Addendum amount, if any. For example, if an estimate of \$800 is given on a move from San Francisco to Los Angeles, the final charges cannot be more than \$820, which is the estimate plus two and one-half percent. The estimate must be in writing and must show total estimated charges. A rate quotation (how much it will cost per 100 pounds, or per hour) is not an estimate.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

D - HOW TO GET AN IDEA OF THE COST (Continued)

Since California regulations provide stiff penalties in connection with underestimates, some movers do not give estimates and will give you instead a form on which you can make your own estimate. Note: Your self-estimate is not binding on the carrier and will not affect final charges.

Exact charges can only be determined when your move has been completed and such charges depend on several factors, including the weight and value of your shipment, the distance involved and the special services you ordered, such as packing, packing materials, appliance service, etc.

Minimum rates which a mover can charge are set by the PUC. If your move is under 50 miles, it is considered a local move and is usually charged by the hour.

If the move is over 50 miles, it is considered a long-distance move and must be charged by weight and length of the trip. As the weight increases, the cost per pound decreases. For example, if between Los Angeles and San Francisco, the PUC minimum rate is \$10.05 per 100 pounds for a 5,000 pound shipment, the minimum rate for an 8,000 pound shipment would probably be about \$9.35 per 100 pounds (excluding packing and unpacking).

Remember to show the estimator all the goods you wish shipped and any extra services you want the mover to perform. This could avoid difficulties in the long run.

The mover will charge extra for packing and unpacking, and with distance-rated shipments transporting goods in an elevator, up the stairs past the first floor (except in a single family home), and when through no fault of the carrier, the truck must be parked any distance greater than 50 feet between the tailgate of the truck and the front door.

If you add items or request services not included in the original estimate, the mover will provide an Addendum Order for Services either at the time of pickup or before performing the service, and of course, you pay for these additional services. It is important that the form be completed prior to signing and that you retain a copy. Do not sign a blank addendum.

Example: Probable Cost of Services was \$800. You forget to tell the estimator about several articles you had wished to ship and also about the extra flight of stairs at your new apartment. These services cost an additional \$50. The actual cost of moving was \$900. Your cost would be \$870 which includes the Probable Cost of Services plus two and one-half percent of the Probable Cost of Services plus the additional charge on the Addendum.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

E - ALL ABOUT WEIGHING YOUR GOODS

When your charges are based on weight, the moving van will be weighed before and after loading by a certified weighmaster on a certified scale. You may ask the mover to notify you by telephone or telegraph (your expense) what the charges are as soon as the goods are weighed. You may request copies of the weight information, before and after loading, and, if you have any reason to question the reported weight, you may ask for a reweigh before delivery, or you may wish to observe the actual weighing.

Reweighing will be accomplished only where it is practicable to do so. Scales are listed in the yellow pages of the telephone directory as: "Weighers-Public". An extra charge may be made for reweighing, but only if the difference between the two net weights obtained does not exceed 100 pounds (if your shipment weighs 5,000 pounds or less) or does not exceed two percent of the lower net weight (if your shipment weighs more than 5,000 pounds). The lower of the two net weights must be used in determining the charges.

Sometimes, there may be special circumstances where a moving company will charge a minimum requiring that you pay for more weight than you actually ship. This is a matter of company policy, not a PUC requirement. It is particularly true in the case of small shipments. This, like all other contract terms, must be in writing on the shipping order.

F - HOW TO PAY FOR YOUR MOVE

The carrier may agree to extend credit for a limited period, if arranged in advance; however, most carriers will insist that you pay in cash, or by money order or certified check before unloading. So you'll need sufficient funds on hand, which is where the Probable Cost of Services or your own estimate becomes very useful. Some carriers will accept payment by credit card or personal check, but be sure to clear this with the carrier in advance. Have it noted on the confirmation of shipping instructions.

G - THERE'S LOTS OF INFORMATION ON THE SHIPPING ORDER

All the important information about your move, including rates and charges, will be on the Shipping Order/Confirmation of Shipping Instruction and Rate Quotation. You and your mover are required to sign this order before your move commences. This then becomes a contract for shipping your personal belongings.

The shipping order shows: the carrier's name, address and telephone number where you can reach him; the address and telephone number where the mover can contact you about the move; the location to which your goods are being moved; the date of loading or pickup and the preferred date of delivery; the declared or released valuation of your goods; and the rates the mover will charge for the various services to be performed. It is not an estimate.

## IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

### H - WHO DOES THE PACKING AND OTHER PREPARATIONS

Competent and professional movers have had training and experience in packing household goods to minimize damage.

If you wish to do your own packing, you may buy sturdy containers from the movers. Caution: Generally the mover is not responsible for damage resulting from faulty packing that you do. So, it's wise to have your mover pack china, crystal, mirrors, and other fragile items. Also, it's a good idea to empty refrigerators and freezers if you are moving more than 50 miles.

Don't ship money, jewelry, important papers, or other valuable articles of a similar type; the mover may not be liable for the loss or damage of valuable personal items of this nature. Never include matches, flammables or other dangerous articles. Items of extraordinary value, such as antiques, art objects, gold or silver articles, etc., should be separately described on the inventory and a value declared for each. Also, it's up to you to make such preparations as disconnecting major appliances and special services to protect them during the move and removing items attached to walls or floors such as draperies and tacked down carpets; some moving companies will provide these services at your request and expense, or they can suggest firms in the local area to assist you.

### I - PICKUP AND DELIVERY DATES ARE IMPORTANT

If the carrier agrees to pick up your goods on a particular day and/or at a specified time, every effort must be made to meet that commitment. If for some reason, the time or date cannot be met, the carrier must notify you or the party you designate, by telegraph or telephone, at carrier's expense, as soon as it becomes apparent that the pickup will not be at the time promised.

The mover also tries to deliver your goods within the period specified on the shipping order. If delayed, the mover must notify you at least 24 hours in advance, at his expense (by telephone or telegraph); at the address or telephone number you have provided him.

Claims for reimbursement for damages to a shipper because of carrier negligence in failing to pick up a shipment on the date promised or failing to deliver a shipment by the preferred date or period of time specified in the shipping order, confirmation of shipping instruction and rate quotation document, or other contract of carriage, presented by the shipper to the carrier shall be responded to by the carrier in accordance with Rule 2.7 of General Order Number 139 (see Section K).

Some companies provide what is known as EXPEDITED SERVICE, giving you a guaranteed date (on or before) when delivery will be made. Usually there is an additional charge if the date is met, but none (or penalty against the carrier) if it is not.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

J - AM I PROTECTED AGAINST LOSS AND DAMAGE

Unfortunately, sometimes things get lost or damaged, but, yes, you are protected. Already included in the basic transportation charge is protection up to 60 cents per pound per article. However, to qualify for this minimum coverage you must write in your own handwriting the words "60 cents per pound per article" on the valuation statement and sign it. But this is very minimal protection and your goods are probably worth considerably more.

In order to avail yourself of greater protection, on the shipping order that you sign, you should declare the value of your goods, such as: \$5,000; \$10,000; etc. The current charge for this additional protection is 50 cents per each \$100 of the total valuation declared by you. The total valuation that you declare must equal or exceed \$1.25 per pound of the weight of your shipment, on a distance move, or \$2,500 on a local hourly move.

If you fail to declare any valuation on your order, or if you declare a total valuation that is less than the above minimums, the carrier is required to automatically enter a valuation of \$1.25 per each 100 pounds that you ship on a distance move, or \$2,500 on a local hourly move and to assess the additional protection charge on the valuation so determined.

Value of individual items will be determined by such things as the value declared by you, age, cost of item new, and condition when received by the mover.

K - HOW TO FILE A CLAIM

If you find that something is damaged or lost, do try to file your claim, in writing, as quickly as possible. Your mover will explain the proper procedures. Leave damaged items in packages, particularly when the external container shows damage.

The best way to verify your claim is a notation on the inventory or delivery receipt at the time of delivery. But, if you discover your problem later and you wish to file a claim you must file it in writing within nine months after the move, although it's a bit more difficult to process if delayed very long. The mover may or may not inspect your goods, but he must provide you a claim form.

The mover must acknowledge claims in writing within 30 days after receipt, and either pay, decline or make a firm compromise settlement offer in writing within 120 days. If he cannot or does not, he must notify you and the PUC every 30 days thereafter, in writing, of the status of your claim and the reasons for the delay in making final disposition.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

L - YOUR HELP IS NEEDED FOR THE INVENTORY REPORT

When the mover arrives to pick up your goods, the driver may make an inventory of all articles shipped, on distance moves. Your help at this time is needed to ensure the report's accuracy. The mover will note on the inventory the condition of your furniture and other goods in a code explained at the top of the form: i.e., "G" for gouged. Make sure you and the mover agree about this. If you disagree, make your own notation on the inventory list, otherwise you may have a difficult time collecting damages. It's best to have everything in writing and specific. Every item and box moved into the truck should be listed on the inventory sheet.

A complete and specific inventory sheet is a business-like procedure for you and the mover and avoids verbal assurances which don't always stick.

Similarly, the mover welcomes and strongly recommends your personal participation when your goods are delivered. Check off each item as it comes off the van. Do not delegate this responsibility to others. If an item is missing or damaged, tell the mover and mark it on your copy of the inventory sheet and that of the movers. Try to check all cartons carrying china, glassware, and other fragile items for damage before the mover leaves.

When delivery is completed, the mover will ask you to sign the delivery receipt, the inventory sheet, or both. When you sign, you accept your goods in apparent good condition, except as noted. Do not delegate this responsibility to others. While a claim may still be filed later, it does complicate processing if documents are not properly noted.

M - IF YOUR NEW HOME IS NOT READY...

If you cannot move into your new home or apartment immediately, you may wish to have your goods moved from your present residence and held in storage for later delivery. For a storage period less than 60 days, you can request "Storage-In-Transit" (Abbreviated SIT), ask for it by name. Storage and handling charges will be assessed for this service and it will be covered by the terms and conditions of your agreement with the moving company. If you do not request "Storage-In-Transit," or if your storage period exceeds 60 days, your goods will be subject to rates, terms, and conditions set by the local warehouse and the service will be under a separate contract with the warehouseman. Discuss with your moving company the advantage of selecting Storage-In-Transit versus permanent storage.



## IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

N - PUBLIC UTILITIES COMMISSION DISTRICT OFFICES

<u>City and Zip Code</u>	<u>Address</u>	<u>Area Code</u>	<u>Telephone</u>
Bakersfield 93301	2920 "H" Street Room 57	(805)	327-8573
El Centro 92243	1681 Main Street Room 329	(714)	352-3123
Eureka 95501	1656 Union Street P. O. Box 4883	(707)	442-3384
Fresno 93721	2550 Mariposa Street Room 4047	(209)	488-5081
Los Angeles 90012	State Office Building 107 South Broadway Room 5109	(213)	(*) 620-2432 (#) 620-2646
Oakland 94607	1111 Jackson Street Room 2022	(415)	464-1366
Redding 96001	2135 Akard Avenue Room 6	(916)	246-6216
Sacramento 95814	1107 Ninth Street Room 520	(916)	445-5231 or 445-5232
San Bernardino 92401	255 North "D" Street Suite 405	(714)	383-4208

(Continued on next page)

(\*) Complaints  
 (#) General Information

## IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

N - PUBLIC UTILITIES COMMISSION DISTRICT OFFICES (Continued)

<u>City and Zip Code</u>	<u>Address</u>	<u>Area Code</u>	<u>Telephone</u>
San Diego 92101	1350 Front Street Room 6032 State Building	(714)	237-7388
San Francisco 94102	350 McAllister Street State Building, Civic Center Room 7193	(415)	(*)557-0350 (#)557-1627
San Jose 95126	2175 The Alameda Room 16	(408)	241-3553
Santa Ana 92701	28 Civic Center Plaza Room 680	(714)	558-4151
Santa Barbara 93101	411 East Canon Perdido	(805)	963-3738
Santa Rosa 95401	2544 Cleveland Avenue	(707)	542-9532
Stockton 95202	31 East Channel Street Room 400	(209)	948-7734

(\*) Complaints  
(#) General Information

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

O - CONSUMER QUESTIONNAIRE

The California Public Utilities Commission urges that you complete and return, after detaching, the POST CARD which is part of the back cover of this pamphlet. NO POSTAGE is necessary if mailed within the United States.

Please use the post card to inform the Commission of your answers to the questions. Place a check mark in the "yes" or "no" column next to the number that corresponds to the question. It will be easier for you if you detach the post card before attempting to complete it.

Please do complete and return the post card. Your evaluation will be compiled with others to help us learn more about 'making moving easier'.

Please check YES or NO on the detachable post card for each of the following questions:

1. Charges for the actual move were based on weight and distance..... 1.
2. Charges for the actual move were by the hour..... 2.
3. Did you receive the Important Notice to Shippers of Household Goods (Gold Book), at the time of your first in-person meeting with a representative of the moving company..... 3.
4. Was your shipment picked up on the date agreed to..... 4.
5. If it was not, were you notified..... 5.
6. Was it picked up at the time agreed to..... 6.
7. Was your shipment picked up in equipment from the moving company you hired..... 7.
8. Did you receive a written estimate from your mover..... 8.
9. Was your actual cost less than the written estimate..... 9.
10. Was your actual cost greater than the written estimate.... 10.
11. Was your shipment delivered on the date or within the period agreed to..... 11.
12. If it was late, were you notified by the mover the reason for the delay and the location and condition of your shipment..... 12.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

O - CONSUMER QUESTIONNAIRE (Continued)

13. Did you furnish the mover an address and/or phone number  
where you could be reached during the move..... 13.
14. Were any of your goods lost or damaged..... 14.
15. If so, have you filed or do you plan to file a claim  
with your mover for loss and damage..... 15.
16. Were you satisfied with your move overall..... 16.
17. Did you pay for your move yourself..... 17.

P - MANDATORY RECEIPT

C.5330 Pet. 99

In accordance with the rules of the California Public Utilities Commission,

I, \_\_\_\_\_, of \_\_\_\_\_  
(Shipper's name) (Address of Shipper)

have received from, \_\_\_\_\_, of  
(Carrier Representative)

\_\_\_\_\_  
(Moving Company's Name)

a copy of the Commission's booklet entitled, Important Notice to Shippers  
of Household Goods (within California).

\_\_\_\_\_  
(Date) (Signature of Shipper)

C.5330 Pet. 99

BUSINESS REPLY MAIL

PUBLIC UTILITIES COMMISSION

State of California

Department HHG

350 McAllister Street

SAN FRANCISCO, CALIFORNIA 94102

PERMIT

NO.

NAME \_\_\_\_\_ DATE \_\_\_\_\_