

**ORIGINAL**

Decision No. **88695** APR 11 1978

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Investigation of rates and charges 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. 401  
(Filed December 1, 1977)

**SUPPLEMENTAL OPINION AND ORDER**

Decision No. **88693**, entered today in Case No. 5432 (Petition 1001) et al., found that rates and charges in Minimum Rate Tariffs 1-B and 19 should be made subject to certain cost offset increases and that amendment of the tariffs should be accomplished by separate order.

IT IS ORDERED that Minimum Rate Tariff 1-B (Appendix B of Decision No. 65834, as amended) is further amended by incorporating therein, to become effective April 22, 1978, Supplement 29, 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 22, 1978, Supplement 38, attached thereto and by this reference made a part hereof.

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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. Any provisions currently maintained in common carrier tariffs which are more restrictive than, or which produce charges greater than those contained in Minimum Rate Tariffs 1-B and 19, are authorized to be maintained in connection with the increased rates and charges directed to be established by Ordering A, and by Paragraph 3 hereof.

8. Common carriers maintaining rates not otherwise specifically referred to in other ordering paragraphs of this decision are authorized to increase such rates by eight percent.

9. Tariff publications required 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 made effective on April 15, 1978, on not less than two days' notice to the Commission and to the public; as to tariff publications as are authorized, but not required, the authority shall expire unless exercised within sixty days after the effective date of this order.

10. 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.

11. Common carriers are authorized to depart from the Commission's tariff circular requirements only to the extent necessary in establishing the surcharge supplement authorized by this order.

C.5441, Pet. 401 dz

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

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 11th day of APRIL, 1978.

Robert Bohman  
President  
William S. Jones, Jr.  
Vernon L. Sturgeon  
Robert D. Hoyle  
Clare J. Delrio  
Commissioners

SPECIAL INCREASE SUPPLEMENT

SUPPLEMENT 29

(Cancels Supplement 28)

(Supplements 20, 25, 27 and 29 Contain All Changes)

TO

MINIMUM RATE TARIFF 1-3

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

AGRICULTURAL CARRIERS

CEMENT CONTRACT CARRIERS

AND

DUMP TRUCK CARRIERS

APPLICATION OF SURCHARGE

(See Page 2 of this Supplement)

Decision No.

**88695**

EFFECTIVE

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 twenty-five percent (25%) on charges computed upon rates subject to minimum weights of 40,000 pounds and over.
2. By twenty-eight percent (28%) on charges computed upon rates subject to minimum weights of 10,000 pounds but less than 40,000 pounds.
3. By thirty-one percent (31%) 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 38

(Cancels Supplement 37)

(Supplements 29, 34, 36 and 38 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

AGRICULTURAL CARRIERS

AND

DUMP TRUCK CARRIERS

APPLICATION OF SURCHARGE

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3. By thirty-one percent (31%) 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