

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

OPINION AND ORDER

Minimum Rate Tariff 4-B (MRT 4-B) names minimum rates and rules for the statewide transportation of uncrated used household goods and related articles by highway carriers.

On May 19, 1978, the Commission staff circulated a white paper to interested parties proposing an addition to Item 150 of MRT 4-B to provide for an optional minimum charge on shipments transported at distance rates.

The current minimum charge in MRT 4-B for shipments transported at distance rates is the charge for 100 pounds at the applicable rate, as set forth in Items 300 and 320.

There are occasions when household goods carriers wish to establish a minimum charge for a particular distance-rated shipment which would exceed the charge resulting from application of the minimum rate to the actual weight of the shipment. For example, a carrier might find it necessary to assess a charge no less than that applicable to a shipment weighing 5,000 pounds in circumstances where the actual weight of the shipment may not be greater than 2,000 pounds. This situation often arises when the destination of a shipment is at a distant location where it is highly unlikely that the carrier will obtain a backhaul, and he may be forced to travel many "empty miles" when returning to his terminal.

The present Confirmation of Shipping Instructions and Rate Quotation document does not contain language which would clearly inform a shipper when a particular minimum charge is to apply. The Commission staff has observed occasions when this has led to misunderstandings on the part of shippers who did not realize that certain notations by the carrier on the Confirmation/Rate Quotation document were intended to establish a minimum charge for the shipment.

The Commission received no adverse replies concerning the staff's aforesaid white paper. Both the California Trucking Association and the California Moving and Storage Association responded with no objection. Several carriers expressed approval of the proposed modification and of the staff's objective in clarifying the charges to the shipper.

In the circumstances, the Commission finds that the staff's proposal is reasonable and the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 4-B should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 4-B (Appendix C to Decision 65521, as amended) is further amended by incorporating therein to become effective thirty-nine days after the date hereof, Fifth Revised Page 15, 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 to Decision 65521, as amended, are hereby authorized to establish in their tariffs the amendment necessary to conform with the further adjustments ordered herein.
3. Tariff publications authorized to be made by common carriers as a result of this order may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff page incorporated in this order.

4. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby 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 amendments published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects Decision 65521, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 16th day of SEPTEMBER, 1978.

Robert Bateman
President
William J. Jones
Luzon L. Stegman
Robert D. Howell
Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES (Continued)	ITEM:
<p style="text-align: center;">CONFIRMATION OF SHIPPING INSTRUCTIONS AND RATE QUOTATION (Concluded) (Items 145 and 150--Concluded)</p> <p>NOTE 2.--The document shall also direct attention to the fact that additional charges for storage, extra handling, and transportation will accrue should the goods not be received by the consignee in accordance with the described arrangements. (See Item 160)</p> <p>NOTE 3.--The following statement, or one of similar import, shall be placed upon the document:</p> <p style="text-align: center;">IMPORTANT NOTICE</p> <p>(a) The quoted rates are believed to be not lower than minimum rates prescribed by the California Public Utilities Commission as published in its Minimum Rate Tariff 4-B and are to be applied to the number of hours involved in providing service, to the actual weight, or to the actual number of other units of measurement, subject to the designated minimum provisions, unless in conflict with the minimum rates, rules and regulations of that tariff.</p> <p>(b) If this shipment is subject to distance rates, and a minimum charge (greater than otherwise applicable) is to apply, the following statement must be completed:</p> <p style="padding-left: 40px;">Charges shall be computed on the actual weight of the shipment or on a weight of _____ pounds, whichever produces the higher charge. NOTE: If a Probable Cost of Services has been issued and the above statement is in conflict therewith, the Probable Cost of Services shall apply.</p> <p>(c) Copies of the tariff are open for public inspection at the Commission's offices in San Francisco and Los Angeles and at the carrier's office or offices at _____ (designate location).</p> <p>NOTE 4.--Valuation shall be shown in the following manner:</p> <p>The rates quoted herein, including minimum hours, minimum weight, minimum charge, or other provisions, are based upon an agreed or declared value being specifically stated by the shipper which is not in excess of 60 cents per pound, per article, for the actual weight of any article or articles in a shipment. Protection against loss and damage for shipments not released to a value of sixty (60) cents per pound, per article, may be obtained through application of charges as provided in Item 80 (f).</p>	<p>6150</p>
<p> ☐ Change * Addition) Decision No. 89375 </p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction