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Decision No.

SEP 61978

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.)

89375

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.

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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.

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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 ________, California, this off

Dated at _____ day of SEPTEMBED

, 1978. esident

Commissioners

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

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