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Decision No. 90225 APR 24 1979**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 trans- )  
 portation of general commodities within )  
 San Diego County as provided in )  
 Minimum Rate Tariff 9-B and the )  
 revisions or reissues thereof. )

Case No. 5439  
 Petition for Modification  
 No. 329  
 (Filed September 29, 1978;  
 amended March 12, 1979)

INTERIM OPINION AND ORDER

Decision No. 90224, entered today in Case No. 5432 (Petition 1034) et al. and Case No. 5439 (Petition 329), provided that Minimum Rate Tariff 9-B should be made subject to certain interim cost offset increases and that amendment of the tariff by surcharge supplement should be accomplished by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 9-B (Appendix A of Decision No. 67766, as amended) is further amended by incorporating therein, to become effective May 5, 1979, Supplement 29, 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 also to Decision No. 67766, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.
3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 9-B are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 9-B rates.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 9-B rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 9-B are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 9-B rates.

5. 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 Tariff 9-B are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 9-B rates.

6. Any provisions currently maintained in common carrier tariffs which are more restrictive than, or which produce charges greater than, those contained in Minimum Rate Tariff 9-B, are authorized to be maintained in connection with the increased rates and charges directed to be established by Ordering Paragraph 2 hereof.

7. 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 May 5, 1979 on not less than five days' notice to the Commission and to the public; 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.

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 Decision No. 67766, as amended, shall remain in full force and effect.

10. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 9-B.

11. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 9-B.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 24th day of APRIL, 1979.

John E. Bryan  
President  
George L. Sturgeon  
Charles R. Howell  
Philip T. DeLong  
James W. Jones  
Commissioners

SURCHARGE SUPPLEMENT

SUPPLEMENT 29  
(CANCELS SUPPLEMENT 28)

(Supplements 15, 27 and 29 Contain All Changes)

TO  
MINIMUM RATE TARIFF 9-B  
NAMING  
MINIMUM RATES AND RULES  
FOR THE  
TRANSPORTATION OF PROPERTY  
OVER THE PUBLIC HIGHWAYS  
WITHIN A  
DEFINED SAN DIEGO DRAYAGE AREA

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

3925

Decision No.

90225

EFFECTIVE

MAY 5, 79

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
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