

**ORIGINAL**Decision No. 90331

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 cement and related )  
 products statewide as provided in )  
 Minimum Rate Tariff 10 and the )  
 revisions or reissues thereof. )

Case No. 5440  
 Petition for Modification  
 No. 108  
 (Filed March 7, 1979)

INTERIM OPINION AND ORDER

Decision No. 90325, entered today in Case No. 5432 (Petition 1042), et al., and Case No. 5440 (Petition 108) provided that Minimum Rate Tariff 10 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 10 (Appendix A to Decision No. 44633, as amended) is further amended by incorporating therein, to become effective May 28, 1979, Supplement 25, 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 No. 44633, as amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.
3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 rates.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 10 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 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 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 rates.

6. Common carriers maintaining rates not otherwise referred to in other ordering paragraphs of this decision are authorized to increase such rates by 2-3/4 percent.

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 28, 1979, 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. ✓

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. 44633, 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 10.

11. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 10.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 27<sup>th</sup> day of MAY, 1979.

John E. Guyon  
President  
William L. Thompson  
Robert D. Howell  
Lincoln J. ...  
Commissioners

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

SURCHARGE SUPPLEMENT

SUPPLEMENT 25  
(Cancels Supplement 24)  
(Supplements 13 and 25 Contain All Changes)

TO  
MINIMUM RATE TARIFF 10  
NAMING  
DISTANCE MINIMUM RATES

ALSO

R U L E S

FOR THE

TRANSPORTATION OF CEMENT AND OTHER  
COMMODITIES OVER THE  
PUBLIC HIGHWAYS  
WITHIN THE  
STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS  
HIGHWAY CONTRACT CARRIERS

AND

CEMENT CONTRACT CARRIERS

Decision No.

90331

EFFECTIVE

5/28/79

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 rates and rules of this tariff, and increase the resulting total amount by two and three-quarters (2 $\frac{3}{4}$ ) percent. (See Exception)

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.

EXEMPTION: The surcharge herein shall not apply to:

1. Item 100 - Accessorial charges;
2. Item 142 - Collect on Delivery (C.O.D.) Shipments;
3. Items 150, 160 and 161 - (Railhead-to-railhead charges only);
4. Item 170 - Accessorial services not included in common carrier rates.

THE END

o Increase, Decision No.