

Decision No. 90351 MAY 22 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 )  
transportation of any and all )  
commodities statewide including, )  
but not limited to, those rates )  
which are provided in Minimum )  
Rate Tariff 2 and the revisions )  
or reissues thereof. )

And Related Matters.

- Case No. 5432, OSH 957
  - Case No. 5439, OSH 310
  - Case No. 5441, OSH 392
  - Case No. 5603, OSH 208
  - Case No. 7783, OSH 156
  - Case No. 5330, OSH 100
  - Case No. 5432, OSH 958
  - Case No. 5433, OSH 67
  - Case No. 5432, OSH 959
  - Case No. 5438, OSH 116
  - Case No. 7857, OSH 159
  - Case No. 5436, OSH 244
  - Case No. 5432, OSH 960
  - Case No. 6008, OSH 36
  - Case No. 5437, OSH 292
  - Case No. 9819, OSH 22
  - Case No. 9820, OSH 8
  - Case No. 5432, OSH 961
  - Case No. 5440, OSH 103
  - Case No. 5432, OSH 962
  - Case No. 5604, OSH 59
  - Case No. 5432, OSH 963
  - Case No. 8808, OSH 38
  - Case No. 8808, OSH 42
  - Case No. 5432, OSH 964
- (Filed April 12, 1977)

SECOND SUPPLEMENTAL OPINION AND ORDER

On October 31, 1978, the Commission issued Decision No. 89575 which established the procedure for implementing Senate Bill 860 (SB 860), as well as the dates for issuance of converted operating authorities authorized under the bill.<sup>1/</sup> Because of some special problems which arose for certain carriers concerning eligibility for conversion, Assembly Bill 27 (AB 27) was introduced to amend SB 860.

1/ For a complete discussion of the Commission's policy and method for implementation of SB 860, see, in addition to Decision No. 89575, Decisions Nos. 89730, 89897, and 90157 dated December 12, 1978, January 16, 1979, and April 10, 1979, respectively.

In anticipation of the passage of AB 27, the Commission issued Decision No. 90157 on April 10, 1979, which amended the conversion dates adopted in Decision No. 89575. Subsequently, AB 27 was amended so that the date of issuance of converted authorities was contained in the bill and not left to the discretion of the Commission. AB 27 has now been passed by the Legislature and its provisions require a further amendment to the SB 860 conversion dates contained in Decision No. 89575 as amended by Decision No. 90157.

We find that a revised schedule for the implementation of SB 860 is necessary to comply with the provisions of AB 27 and conclude that the schedule as ordered herein is reasonable and should be adopted.

In order to integrate these modifications as soon as possible, this order should be effective the date hereof.

IT IS ORDERED that:

1. Finding 3 of Decision No. 89575 as amended by Decision No. 90157 is further amended as follows:

3. In order to convert all radial permits on a common date, and in order to allow sufficient time for administrative processing, we find the following schedule reasonable:

- a. All Section 1063.5 certificates will be granted prior to November 1, 1979.
- b. Certificates will be granted with a thirty-day effective date.
- c. All certificates will be issued January 31, 1980.
- d. Carriers must file their tariffs or affidavit of subhauling within thirty days after, but not prior to, the effective date of the certificate, except that carriers who file applications for conversion under the extended deadline provided by AB 27 may file their tariffs prior to the effective date of their Section 1063.5 certificates.

- e. Tariffs must be filed upon at least a thirty-day notice to the public.
- f. All Section 1063.5 tariffs must be made effective on the common date, January 31, 1980, and must be filed no later than January 1, 1980.
- g. All radial highway common carrier permits will be revoked effective January 31, 1980.

2. The Executive Director shall serve a copy of this decision on all highway carriers.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of MAY, 1979.

John E. Bryan  
President  
Jerome L. Trauer  
Charles D. Howell  
[Signature]  
Commissioners

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