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JUL 3 1979

ORIGINAL

Decision No. 90532

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| In the Matter of the Investiga- |) | |
| tion for the purpose of consid- |) | |
| ering and determining minimum |) | |
| rates for transportation of any |) | Case No. 5432 |
| 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. |) | |
| |) | Case No. 5439 |
| And Related Matters |) | |
| |) | Case No. 5441 |
| |) | |
| |) | |
| |) | |

ORDER OF PARTIAL SUSPENSION

Various common carriers engaged in intrastate transportation within California participate in National Motor Freight Classification NMF 100-F, herein after referred to as the Governing Classification, for class ratings and other provisions. Also, various Commission minimum rate tariffs are subject to the class ratings and/or other provisions of such classification.

On May 22, 1979, the Commission in Special Tariff Docket 9373 granted authority to the National Motor Freight Classification to amend the NMF 100-F incorporating therein Supplement 1 to NMF 100-F. This supplement contains, among other changes, increases in truckload minimum weights for various articles classified in this supplement. Supplement 1 became effective for California intrastate traffic on May 26, 1979 and also became effective on the same day nationwide.

The Interstate Commerce Commission by order dated May 25, 1979 issued an Investigation and Suspension in Docket No. M-30073 suspending certain of the tariff schedules in Supplement 1 to and including December 25, 1979. During this period

the I.C.C. will investigate all issues relating to the lawfulness of these suspended tariff schedules.^{1/}

California Manufacturers Association has requested that this Commission take official notice of the I.C.C.'s suspension of certain tariff schedules in Supplement 1 and likewise to suspend these schedules with regard to California intrastate traffic.

As a policy, this Commission has maintained the NMF 100-F as a Governing Classification for both interstate and intrastate traffic, under the Commission's minimum rate tariffs, in a parallel program with the I.C.C.

In the circumstances, the Commission finds that there is good cause appearing to suspend the tariff schedules in Supplement 1 to NMF 100-F which are subject to the I.C.C. investigation until further order of the Commission.

Because the items in question have been suspended for interstate traffic and there is immediate need likewise to suspend the items for intrastate traffic and avoid hardship for California shippers, the order which follows will be made effective immediately.

^{1/} The I.C.C. suspended tariff schedules are:

National Motor Freight Tariff Association, Inc., Agent,
National Motor Freight Classification, ICC NMF 100-F:

In Supplement 1, on pages 26, 29, 31, 32, 33, 34
and 35, the minimum weight factors referenced with
the increase mark in Items:

17540-A, 17555-A, 68300-A Sub 1, 70200-A Sub 1,
70340-A Subs 1 and 2, 70360-A Subs 1 through 4
inclusive, 145100-A Subs 1 and 2, 148420-A, 159870-A,
183240-A Subs 2 through 4, 186980-A Sub 2, and
187940-A,

Also, on page 31, Items 101100-A and 101425, and on
page 33, Items 151490-A and 154414.

IT IS ORDERED that:

1. The following tariff items established pursuant to Special Tariff Docket No. 9373 in Supplement 1 to National Motor Freight Classification NMF 100-F are suspended until further order of the Commission.

National Motor Freight Tariff Association, Inc., Agent,
National Motor Freight Classification, ICC NMF 100-F:

In Supplement 1, on pages 26, 29, 31, 32, 33, 34
and 35, the minimum weight factors referenced with
the increase mark in Items:

17540-A, 17555-A, 68300-A Sub 1, 70200-A Sub 1,
70340-A Subs 1 and 2, 70360-A Subs 1 and 2, 703870-A,
Subs 1 and 2, 100590-A, 101140-A Subs 1 through 4
inclusive, 145100-A Subs 1 and 2, 148420-A, 159870-A,
183240-A Subs 2 through 4, 186980-A Sub 2, and
187940-A,

Also, on page 31, Items 101100-A and 101425, and on
page 33, Items 151490-A and 154414.

2. The Executive Director of the Commission shall cause
service by mail of this order to be made on National Motor Freight
Classification, James C. Harkins, Issuing Officer, 1616 P Street, N.W.,
Washington, DC 20036 and Mr. J. J. Butcher, California Manufacturers
Association, P. O. Box 1138, Sacramento, CA 95805.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd day
of JULY, 1979.

John E. Byron
President
Thomas L. Stinson
Richard P. Howell
Clare J. DeBry
Donald G. Griffin
Commissioners