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ORIGINALDecision No. 90610 JUL 31 1979

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
statewide as provided in Minimum
Rate Tariff 4-B and the revisions
or reissues thereof.

Case No. 5330
Petition for Modification
No. 107
(Filed May 21, 1979)

O P I N I O N

California Moving and Storage Association (CMSA), a nonprofit corporation whose membership is composed of approximately 600 carriers engaged in the transportation of household goods and related articles requests increases in Minimum Rate Tariff 4-B (MRT 4-B). Copies of the petition were mailed to various Chambers of Commerce, shipper organizations, and carrier representatives. The petition was also listed on the Commission's Daily Calendar of May 22, 1979. No protest to the granting of the petition has been received.

The proposed increases, which are predicated upon labor contracts effective April 1, 1979, would produce approximately \$4.6 million in additional annual revenue with an average increase of 3 percent for distance rates and 5 percent for Territory C hourly rates.

The cost exhibits (as revised) and the rate exhibit, which were prepared by CMSA, were analyzed by the staff based on the direct offset method and were found to be reasonable.

By Decision No. 90350 dated May 22, 1979 in Petition 105, MRT 4-B rates were increased by 3.2 percent to offset uncontrollable increases in costs such as Social Security payroll expenses and labor contracts that had been agreed upon three years prior to the implementation of current Wage and Price Guidelines. The

staff is therefore of the opinion that such increased costs should be considered as pass-through increases. If so considered, the proposed increases fall within the guidelines.

The following is a comparison of percentage increases based upon CMSA's cost exhibits with that allowable under the guidelines:

	<u>CMSA's Request</u>	<u>Allowable Under Guidelines</u>
Distance Rates	3%	6.5%
Territory C Hourly Rates	5%	6.7%

Findings of Fact

1. Household goods carriers operating under the rates set forth in MRT 4-B have experienced increases in operating costs since the present rates were established by Decision No. 90350 dated May 22, 1979.

2. The rates in MRT 4-B should be increased to offset the increased operating expenses incurred by carriers subject to that tariff.

3. The rates and charges established by the ensuing order are just, reasonable, and nondiscriminatory minimum rates for the transportation governed thereby. They are estimated to produce an annual revenue increase of \$4.6 million. The rate increases authorized herein are justified.

4. The rates as hereinafter authorized will result in the following average increases.

Distance Rates	3%
Territory C Hourly Rates	5%

5. To the extent that the provisions of MRT 4-B heretofore have been found to constitute reasonable minimum rates and rules for common carriers as defined in the Public Utilities Code, said provisions are, and will be, reasonable minimum rate provisions for said common

carriers. To the extent that the existing rates and charges of said common carriers for the transportation involved are less in volume or effect than the minimum rates and charges designated herein as reasonable for said carriers, to that same extent the rates and charges of said carriers, are, and for the future will be, unreasonable, insufficient, and not justified by the actual competitive rates of competing carriers or by the cost of other means of transportation.

6. The rate increases authorized herein are less than those allowable under the Wage and Price Guidelines adopted by the Council on Wage and Price Stability.

7. A public hearing is not necessary.

Conclusion of Law

Petition 107 in Case No. 5330 should be granted and MRT 4-B should be amended as hereinafter set forth in the order.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff 4-B (Appendix C to Decision No. 65521, as amended) is further amended by incorporating therein, to become effective thirty-two days after the date hereof, the revised tariff pages attached hereto and listed in Appendix A, which pages and appendix by reference are made a part hereof.

2. Common carriers subject to the Public Utilities Code, to the extent that they are subject also to Decision No. 65521, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered by this decision.

3. Tariff publications required to be made by common carriers as a result of this order shall be filed and made effective thirty-two days after the date hereof and on not less than two days' notice to the Commission and to the public.

4. In all other respects Decision No. 65521, as amended, shall remain in full force and effect.

5. 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 4-B.

6. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 4-B.

The effective date of this order shall be thirty days after the date hereof.

Dated JUL 31 1979, at San Francisco, California.

Joe E. Byrne
President
Walter L. Stinson
Richard D. Howell
Clare Delight
Thomas J. ...
Commissioners

APPENDIX A

LIST OF REVISED PAGES
TO MINIMUM RATE TARIFF 4-B

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(END OF APPENDIX A)

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">MIXED SHIPMENTS</p> <p>(a) When one or more commodities for which rates are not provided in this tariff are included in the same shipment with commodities for which rates are herein provided, the rate or rates applicable to the entire shipment may be determined as though all of the commodities were ratable under the provisions of this tariff at the combined weight of the mixed shipment; or the commodities for which rates are provided in this tariff may be transported at the applicable rates provided herein, and the commodities for which rates are not provided herein, at the rates provided in other Commission tariffs or which might be otherwise applicable, provided separate weights or other authorized units of measurement are furnished or obtained. In the event that the latter basis is used, the minimum charges provided in this tariff shall apply to the entire shipment.</p> <p>(b) When any uncrated portion of a shipment of commodities for which rates are herein provided requires protection against damage after receipt thereof by the carrier and such protection is afforded by the carrier by packing such uncrated portion of the shipment in containers, such portion so packed shall be rated as uncrated property.</p>	65
<p style="text-align: center;">APPLICATION OF RATES</p> <p>(a) Rates provided in Items 300, 320, 330 and 340 are for the transportation of shipments from point of origin to point of destination, from point of origin to point of storage-in-transit, or from point of storage-in-transit to point of destination, and include pickup and delivery, subject to Item 75.</p> <p>(b) For transportation of shipments for distances of 50 miles or less, rates shall apply in cents per hour (See Note), in cents per piece, or in cents per 100 pounds. (Items 300, 320, 330 and 340), subject to Items 145, 150 and 155.</p> <p>(c) For transportation in excess of 50 miles, rates in Items 300 and 320 shall apply, subject to Item 55.</p> <p>(d) Rate in Item 350 shall apply for the accessorial services of packing and un-packing in the territory in which the service is performed.</p> <p>(e) Item 360 provides rates for transportation of empty shipping containers and a basis of charges for the furnishing of shipping containers and packing materials by the carrier.</p> <p>(f) Item 80 provides valuation charges for all shipments not released to a value of sixty (60) cents per pound, per article.</p> <p>NOTE.--The highest rated territory in or through which any service is performed shall determine the applicable hourly rate.</p>	70
<p style="text-align: center;">PICKUP AND/OR DELIVERY AT OTHER THAN GROUND FLOOR</p> <p>When shipments are picked up or delivered, or both, at other than ground floor, the following additional charges per pickup or delivery per flight and/or long carry shall be assessed:</p> <ol style="list-style-type: none"> 1. At hourly rates (Item 330) No additional charge. 2. At piece rate (Item 340) 160 cents per piece. 3. At distance rates (Items 300 and 320) 50 cents per 100 pounds. 	075
<p>◇ Increase, Decision No. 90610</p>	
<p style="text-align: right;">EFFECTIVE 9/1/79</p>	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">DECLARATION OF VALUE--VALUATION CHARGES (Concluded)</p> <p>(f) The following minimum valuation charges will apply to all shipments not released to a value of 60 cents per pound per article (See Note 1):</p> <p style="text-align: center;">TRANSPORTATION VALUATION CHARGE</p> <p style="text-align: center;">50 cents per each \$100 (or fraction thereof) of released valuation. (See Note 3)</p> <p style="text-align: center;">STORAGE-IN-TRANSIT VALUATION CHARGE</p> <p style="text-align: center;">10 cents per each \$100 (or fraction thereof) of released valuation. (See Note 2)</p> <p>NOTE 1.--If the shipper wishes to avoid these additional charges, he must enter a released value of 60 cents per pound per article on the shipping document.</p> <p>NOTE 2.--No charge shall be made where storage-in-transit of a shipment is undertaken for carrier's convenience.</p> <p>NOTE 3.--On shipments which are stored in transit in accordance with the provisions of Item 180, separate transportation valuation charges shall be assessed for the transportation from initial point of origin to point of storage and for the transportation from point of storage to point of destination.</p> <p>(g) Each shipping piece or package and contents thereof shall constitute one article, except that total component parts of any article taken apart or knocked down for handling and loading in vehicle shall constitute one article for the purpose of determining carrier's liability.</p> <p>NOTE.--When an entire shipment is transported in containers, lift vans, or shipping boxes, each shipping package, piece, or loose item not enclosed within a package in such containers, lift vans, or shipping boxes will constitute the article.</p>	80 (Con- clud- ed)
<p style="text-align: center;">DISPOSITION OF FRACTIONS</p> <p>In computing a rate based on a percentage of another rate, the following rule shall be observed in the disposition of fractions:</p> <p style="text-align: center;">Fractions of less than $\frac{1}{4}$ or .50 of a cent, omit.</p> <p style="text-align: center;">Fractions of $\frac{1}{4}$ or .50 of a cent or greater, increase to next whole figure.</p>	85
<p style="text-align: center;">DIVERTED SHIPMENTS</p> <p>Charges upon a shipment transported under rates provided in Items 300 or 320 which has been diverted shall be computed at the applicable rate in effect on date of shipment from point of origin via each point where diversion occurs to final destination, plus an additional charge of \$13.05 for each diversion.</p>	000
<p>◊ Increase, Decision No. .</p> <h1 style="margin: 0;">90610</h1>	
<p>EFFECTIVE <u>9/1/74</u></p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

MINIMUM RATE TARIFF 4-B

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">DELAYS IN PICKUP OR DELIVERY</p> <p>(a) If a carrier agrees with a shipper to pickup a shipment of used household goods on a specified date and/or time and it is unable to fulfill that commitment, the carrier shall notify the shipper, or person designated by the shipper, by telegram or telephone, at the carrier's expense, as soon as it becomes apparent that a promised date and/or time will not be met.</p> <p>(b) Whenever a carrier is unable to make delivery of a shipment of household goods on the date or during the period specified in the receipt or shipping order, the carrier shall notify the shipper, or person designated by the shipper, by telegram or telephone, at the carrier's expense, of the date on which delivery of the shipment will be made; such notification to be given not less than 24 hours prior to the date or during the period shown on the receipt of shipping order except when the circumstances causing the delay occur at a later time, in which case the notice shall be given as soon as possible but in no event more than 24 hours after the occurrence, provided, that the requirement of this paragraph shall not apply where the carrier is unable to obtain from the shipper an address or telephone number for such notification.</p> <p>(c) Claims for reimbursement for damages to a shipper because of carrier negligence in failing to pick up a shipment on the date promised or failing to deliver a shipment by the preferred date or period of time specified in the shipping order, confirmation of shipping instruction and rate quotation document, or other contract of carriage, presented by the shipper to the carrier shall be responded to by the carrier in accordance with Rule 2.7 of General Order No. 139.</p>	162
<p style="text-align: center;">WAITING OR DELAY</p> <p>When vehicle is held for convenience of the shipper or consignee through no fault of the carrier in connection with shipments moving or to be moved under rates contained in Items 300 or 320, a charge at the hourly rates provided in Item 330 will be assessed for each hour or fraction thereof over one hour.</p>	165
<p style="text-align: center;">SPLIT PICKUP</p> <p>Split pickup service may be accorded subject to the following conditions:</p> <ol style="list-style-type: none"> (1) The charge for the composite shipment shall be paid by one consignor, consignee, or other interested party. (2) Split delivery service shall not be accorded. (3) In the event a lower aggregate charge results from treating one or more component parts as a separate shipment said charge may be applied. (4) Charges shall be computed as follows: <ol style="list-style-type: none"> (a) Under hourly rates (Item 330). Apply applicable rate for the total time consumed in loading at the point of origin of each component part, and unloading at point of destination, plus double the driving time between each such point. (Total time shall be converted into hours and/or fractions thereof in accordance with the provisions of Item 95.) (b) Under distance rates (Items 300 and 320). Apply the applicable rate to the total weight of the composite shipment for the distance from point of origin of any component part to point of destination via the points of origin of all other component parts, plus an additional charge of \$28.10 for each stop to load between first point of origin and point of destination. 	0170
<p>◊ Increase, Decision No. 90610</p>	
<p>EFFECTIVE 9/1/79</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">SPLIT DELIVERY</p> <p>Split delivery service may be accorded subject to the following conditions:</p> <p>(1) The charge for the composite shipment shall be paid by one consignor, consignee, or other interested party.</p> <p>(2) Split pickup service shall not be accorded.</p> <p>(3) In the event a lower aggregate charge results from treating one or more component parts as a separate shipment said charge may be applied.</p> <p>(4) Charges shall be computed as follows:</p> <p>(a) Under hourly rates (Item 330). Apply applicable rate for the total time consumed in loading at point of origin and unloading at point of destination of each component part, plus double the driving time between each such point. (Total time shall be converted into hours and/or fractions thereof in accordance with the provisions of Item 95.)</p> <p>(b) Under distance rates (Items 300 and 320). Apply the applicable rate to the total weight of the composite shipment for the distance from point of origin to point of destination of any component part via the points of destination of all other component parts, plus an additional charge of \$28.10 for each stop to unload between point of origin and final point of destination.</p>	<p>0175</p>
<p style="text-align: center;">STORAGE IN TRANSIT (See Note 1)</p> <p>Shipments may be stored once in transit for a period not to exceed 60 days from the date of unloading at storage point. (See Note 2)</p> <p>Charges shall be computed on the following basis:</p> <p>(a) The applicable transportation rate from initial point of origin to point of storage, plus</p> <p>(b) The applicable transportation rate from point of storage to point of destination, plus</p> <p>(c) Warehouse handling and storage charge of \$1.30 per 100 pounds for each 30-day period or fraction thereof, subject to a minimum charge of \$6.40 for each 30-day period.</p> <p>NOTE 1.--On shipments subject to hourly rates both into and out of point of storage in transit the weight of the shipment for purposes of determining the storage-in-transit charge may be estimated by multiplying the total cubic feet of storage space occupied by the shipment on the warehouse platform or in the warehouse by 7 pounds per cubic foot.</p> <p>NOTE 2.--In the event a shipment remains in storage in excess of 60 days, the point of storage in transit shall be considered the point of destination and thereafter shall be subject to the rules, regulations and charges of the individual warehouseman. Charges for subsequent delivery shall be assessed on the basis of the charges applicable from point of storage to point of delivery.</p>	<p>0110</p>
<p>◊ Increase, Decision No. 90610</p>	
<p style="text-align: right;">EFFECTIVE 9/1/79</p>	
<p>Correction</p> <p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

MINIMUM RATE TARIFF 4-B

SECTION 3--RATES							ITEM
DISTANCE RATES IN CENTS PER 100 POUNDS (1) (2) (3) (4)							
Rates named in this item apply only to shipments transported between points located within Region 1. (See Note)							
Miles		Any Quantity	Minimum Weight				ITEM
Over	But Not Over		1,000 Pounds	2,000 Pounds	5,000 Pounds	8,000 Pounds	
0	10	1975	1200	860	710	610	
10	20	2010	1240	890	725	625	
20	30	2045	1260	905	755	635	
30	40	2080	1285	925	760	650	
40	50	2105	1305	940	770	660	
50	60	2140	1325	950	790	675	
60	70	2175	1345	965	805	685	
70	80	2210	1360	980	820	700	
80	90	2235	1385	995	840	720	
90	100	2270	1405	1005	855	735	
100	120	2315	1425	1025	870	755	
120	140	2375	1460	1050	890	780	
140	160	2440	1500	1085	925	810	
160	180	2500	1540	1110	955	835	
180	200	2570	1575	1135	990	865	
200	225	2635	1620	1165	1020	895	
225	250	2705	1670	1200	1060	935	
250	275	2765	1705	1235	1095	960	
275	300	2840	1745	1265	1130	1010	
300	325	2895	1785	1300	1160	1040	0300
325	350	2945	1825	1330	1190	1075	
350	375	3000	1860	1360	1225	1110	
375	400	3065	1890	1390	1260	1145	
400	425	3095	1920	1420	1295	1170	
425	450	3120	1950	1450	1325	1200	
450	475	3150	1985	1480	1360	1240	
475	500	3190	2020	1515	1395	1270	
500	550	3235	2075	1560	1445	1315	
550	600	3285	2130	1600	1490	1365	
600	650	3335	2175	1655	1545	1425	
650	700	3395	2230	1710	1610	1470	
700	750	3445	2280	1760	1655	1510	
750	800	3500	2330	1810	1705	1560	
800	850	3545	2370	1855	1755	1605	
850	—						

o Add to rate for 850 miles 45 cents per 100 pounds for each 50 miles or fraction thereof in excess of 850 miles.

(1) Minimum Charge--the charge for 100 pounds at the applicable rate.
 (2) See Item 70 for application of rates.
 (3) See Item 50 for computation of distances.
 (4) See item 220 for Region descriptions.

NOTE.—Rates named in this item apply in connection with split pickup and split delivery shipments only when points of origin and points of destination of all component parts of such shipments are located within Region 1. Rates named in Item 320 shall apply to split pickup and split delivery shipments excluded from the provisions of this item.

o Increase, Decision No. **90610**

EFFECTIVE **9/1/79**

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
 SAN FRANCISCO, CALIFORNIA.

Correction

SECTION 3--RATES (Continued)							ITEM	
DISTANCE RATES IN CENTS PER 100 POUNDS (1) (2) (3) (4)								
Rates named in this item apply only to shipments transported between points located within Region 2; and between points located in Region 1, on the one hand, and points located in Region 2, on the other hand.								
Miles Over	But Not Over	Any Quantity	Minimum Weight:					
			1,000 Pounds	2,000 Pounds	5,000 Pounds	8,000 Pounds		
0	10	1975	1200	860	710	610		
10	20	2010	1240	890	725	625		
20	30	2045	1260	905	755	635		
30	40	2080	1285	925	760	650		
40	50	2110	1310	940	780	665		
50	60	2145	1340	965	790	675		
60	70	2180	1360	975	805	685		
70	80	2220	1385	990	820	700		
80	90	2260	1410	1005	840	720		
90	100	2305	1440	1025	860	735		
100	120	2360	1475	1050	880	755		
120	140	2425	1520	1080	915	785		
140	160	2495	1560	1110	950	815		
160	180	2575	1610	1150	990	850		
180	200	2555	1660	1180	1025	885		
200	225	2730	1725	1220	1070	935		
225	250	2800	1770	1250	1095	960		
250	275	2875	1815	1285	1140	1005		
275	300	2945	1860	1330	1180	1050	0320	
300	325	2995	1905	1365	1215	1090		
325	350	3065	1950	1390	1245	1130		
350	375	3090	1980	1420	1285	1160		
375	400	3150	2010	1450	1325	1190		
400	425	3190	2040	1475	1355	1215		
425	450	3235	2065	1510	1385	1250		
450	475	3265	2090	1535	1405	1275		
475	500	3295	2125	1570	1430	1305		
500	550	3320	2155	1605	1465	1340		
550	600	3345	2190	1650	1520	1380		
600	650	3385	2225	1695	1575	1425		
650	700	3420	2260	1735	1630	1470		
700	750	3465	2280	1770	1670	1525		
750	800	3500	2330	1810	1705	1560		
800	850	3545	2370	1855	1755	1605		
850	---	o Add to rate for 850 miles 45 cents per 100 pounds for each 50 miles or fraction thereof in excess of 850 miles.						
(1) Minimum Charge--the charge for 100 pounds at the applicable rate. (2) See Item 70 for application of rates. (3) See Item 50 for computation of distances. (4) See Item 220 for Region descriptions.								
o Increase, Decision No.							90610	
							EFFECTIVE 9/1/79	
Correction							ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

SECTION 3--RATES (Continued)				ITEM
RATES IN CENTS PER HOUR (1) (2) (Applies for Distances of 50 Constructive Miles or Less)				
Unit of Equipment: (a) with driver----- (b) with driver and 1 helper----- Additional helpers, per man----- Minimum Charge--the charge for one hour.	TERRITORY (3)			0330
	A	B	C	
	2450	1975	2170	
	4525	3405	3810	
	1640	960	1140	
(1) See Item 70 for application of rates. (2) See Item 95 for computation of time. (3) See Item 210 for territorial descriptions.				
DISTANCE RATES IN CENTS PER PIECE (1) (2) (Applies to Shipments of Not More Than 5 Pieces for Distances of 50 Miles or Less)				
FIRST PIECE			Each Additional Piece	0340
MILES (3)				
Not Over 10	Over 10 but Not Over 20	Over 20		
1740	3240	4530		
			600	
(1) See Item 70 for application of rates. (2) Rates in this item will not apply to split pickup or split delivery shipments, or storage in transit privileges. (3) See Item 50 for computation of distances.				
o Increase, Decision No. 90610				
EFFECTIVE 9/1/79				
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.				
Correction				

SECTION 3--RATES (Concluded)				ITEM		
ACCESSORIAL RATES						
Rates in Cents per Man per Hour (1) (2) (3)						
			TERRITORY (4)			
			A	B	OC	
Packing) -----			2025	1570	1755	0350
Unpacking) -----						
Minimum Charge--the charge for one hour.						
(1) See Item 70 for application of rates. (2) See Item 95 for computation of time. (3) Rates do not include cost of materials. (See Item 360) (4) See Item 210 for description of territories.						
RATES AND CHARGES FOR PICKING UP OR DELIVERING SHIPPING CONTAINERS AND PACKING MATERIALS						
1. In the event new or used shipping containers, including wardrobes, are delivered by the carrier, its agent, or employees, prior to the time shipment is tendered for transportation, or such containers are picked up by the carrier, its agents or employees subsequent to the time delivery is accomplished, the following transportation charges shall be assessed: (See Note 1)						
			<u>In Cents</u>			
Each container, set up-----			280		0360	
Each bundle of containers, folded flat--			280			
Minimum charge, per delivery-----			1355			
2. (a) Shipping containers, including wardrobes (See Note 2) and packing materials which are furnished by the carrier at the request of the shipper, will be charged for at not less than the actual original cost to the carrier of such materials, F.O.B. carrier's place of business.						
(b) In the event such packing materials and shipping containers are returned to any carrier participating in the transportation thereof when loaded, an allowance may be made to the consignee or his agent of not to exceed 75 percent of the charges assessed under the provisions of paragraph 2(a).						
NOTE 1.--If the hourly rates named in Item 330 provide a lower charge than the charge in paragraph 1 of this item, such lower charge shall apply.						
NOTE 2.--No charge will be assessed for wardrobes on shipments transported at the rates provided in Item 330.						
o Increase, Decision No.			90610			
			EFFECTIVE		9/1/79	
Correction			ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.			