

Decision No. 90692

AUG 14 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi-)
gation for the purpose of)
considering and determining)
minimum rates for transportation)
of any and all commodities state-)
wide including, but not limited)
to, those rates which are pro-)
vided in Minimum Rate Tariff 2)
revisions or reissues thereof.)

Case No. 5432

And Related Matters)

Case No. 5439

Case No. 5441

ORDER OF PARTIAL SUSPENSION

Various common carriers engaged in intrastate transportation within California participate in the National Motor Freight Classification NMF 100-F, hereinafter 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.

Notice of the proposed adoption of Supplement 2 to the Governing Classification, to become effective concurrent with the nationwide effective date of June 23, 1979, appeared on the Commission's Daily Calendar of May 30, 1979. No objection to its adoption having been received, the Commission, on June 19, 1979, in Special Tariff Docket 9426, granted authority to the National Motor Freight Traffic Association Inc., Agent, to amend the Governing Classification by incorporating therein Supplement 2 to the NMF 100-F. This supplement contains, among other changes, increases in the truckload minimum weights for various articles classified in this supplement.

The Interstate Commerce Commission by order dated June 20, 1979, issued an Investigation and Suspension in Docket No. M-30073 (Sub No. 1) suspending certain of the tariff schedules in Supplement 2 to and including January 26, 1980. During this period the I.C.C. will investigate the lawfulness of the suspended tariff schedules.^{1/}

The California Manufacturers Association has requested that this Commission take official notice of the I.C.C.'s suspension of certain tariff schedules in Supplement 2 of the Governing Classification and likewise to suspend these schedules with regard to California intrastate traffic.

As a policy, this Commission has maintained the 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 2 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.

IT IS ORDERED that:

1. The following tariff items in Supplement 2 to the National Motor Freight Classification NMF 100-F are suspended until further order of the Commission:

National Motor Freight Traffic Association, Inc., Agent,
National Motor Freight Classification, ICC NMF-100-F.
In Supplement 2, Items 24520-A Subs 1 and 2, 61056-A,
63800-A Subs 1 and 2, 68260-A Sub 1, 92020-A Subs 1 and
2, 144620-A Subs 1 and 2, 144840-A Sub 1, 145020-A,
145190-A, 145450, 145470-A and 177820-A Subs 1 and 2.

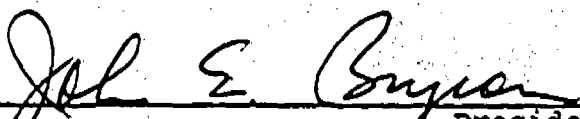
^{1/} National Motor Freight Traffic Association, Inc., Agent,
National Motor Freight Classification, ICC NMF 100-F.
In Supplement 2, Items 24520-A Subs 1 and 2, 61056-A,
63800-A Subs 1 and 2, 68260-A Sub 1, 92020-A Subs 1 and
2, 144620-A Subs 1 and 2, 144840-A Sub 1, 145020-A,
145190-A, 145450, 145470-A and 177820-A Subs 1 and 2.

C. 5432 et al. -

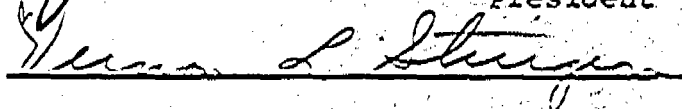
2. The Executive Director of the Commission shall cause service by mail of this order to be made on the National Motor Freight Traffic Association, Inc., James C. Harkins, Issuing Officer, 1616 P Street N.W., Washington, DC 20036 and Mr. J. J. Butcher, California Manufacturers Association, P.O. Box 1138,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

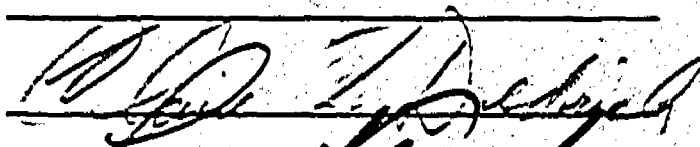
The effective date of this order is the date hereof.

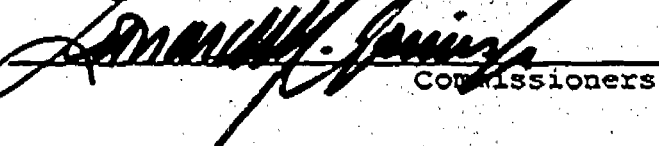
Dated AUG 14 1979, at San Francisco, California.



President







Commissioners

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.