

Decision No. 90735 August 28, 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 transpor- )  
tation of livestock and related )  
items statewide as provided in )  
Minimum Rate Tariff 3-A and )  
the revisions or reissues )  
thereof. )

Case No. 5433  
Petition for Modification  
No. 71  
(Filed March 7, 1979)  
(Amended June 15, 1979)  
(Amended July 13, 1979)  
(Amended August 16, 1979)

And Related Matters. )

Case No. 5438  
Petition for Modification  
No. 121  
Case No. 7857  
Petition for Modification  
No. 168  
(Filed March 7, 1979)  
(Amended June 15, 1979)  
(Amended July 13, 1979)  
(Amended August 16, 1979)

FOURTH INTERIM OPINION AND ORDER

Decision No. 90733, entered today in Case No. 5432 (Petition 1042), et al., and Cases Nos. 5433 (Petition 71), 5438 (Petition 121), and 7857 (Petition 168) provided that Minimum Rate Tariffs 3-A, 8-A, and 14-A should be made subject to additional cost offset increases and that amendment of the tariffs by surcharge supplements should be accomplished by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 3-A (Appendix A to Decision No. 55587, as amended) is further amended by incorporating therein, to become effective September 16, 1979, Supplement 17, attached hereto and by this reference made a part hereof.
2. Minimum Rate Tariff 3-A (Appendix B to Decision No. 85826, as amended) is further amended by incorporating therein, to become effective September 16, 1979, Supplement 7, attached hereto and by this reference made a part hereof.

3. Minimum Rate Tariff 14-A (Appendix A to Decision No. 67397, as amended) is further amended by incorporating therein, to become effective September 16, 1979, Supplement 24, attached hereto and by this reference made a part hereof.

4. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decisions Nos. 55587, 85826, and 67397, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered by this decision.

5. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariffs 3-A, 8-A, and 14-A are authorized to increase such rates by the same amounts authorized by this decision for the respective tariff rates.

6. Common carriers maintaining rates on the same level as Minimum Rate Tariffs 3-A, 8-A, and 14-A rates for the transportation of commodities and/or for transportation not subject to these tariffs are authorized to increase such rates by the same amounts authorized by this decision for the respective tariff rates.

7. 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 Tariffs 3-A, 8-A, and 14-A are authorized to increase such rates by the same amounts authorized by this decision for the respective tariff rates.

8. Any provisions currently maintained in common carrier tariffs which are more restrictive than, or which produce charges greater than, those contained in Minimum Rate Tariffs 3-A, 8-A, and 14-A are authorized to be maintained in connection with the increased rates and charges directed to be established by Ordering Paragraph 4 hereof.

9. 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 may be made effective not earlier than the effective date of the supplements attached hereto on not less than five 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.

10. 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.

11. Common carriers are authorized to depart from the Commission's tariff circular requirements only to the extent necessary in establishing the surcharge supplements authorized by this order.

12. In all other respects, Decisions Nos. 55587, 85826, and 67397, as amended, shall remain in full force and effect.

13. 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 Tariffs 3-A, 8-A, and 14-A.

C. 5433, Pet. 71, et al. - FS

14. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariffs 3-A, 8-A, and 14-A.

The effective date of this order is the date hereof.  
Dated AUG 28 1979, at San Francisco, California.

John E. Bryson  
President

Vernon L. Stevenson

Robert D. Givels

Lawrence W. Givels  
Commissioners

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

SUPPLEMENT 17

(Cancels Supplement 16)

(Supplement 17 Contains All Changes)

TO: ALL RATES AND TARIFFS FOR THE TRANSPORTATION OF LIVESTOCK OVER THE PUBLIC HIGHWAYS WITHIN THE STATE OF CALIFORNIA BY RADIAL HIGHWAY COMMON CARRIERS, HIGHWAY CONTRACT CARRIERS AND LIVESTOCK CARRIERS.

MINIMUM RATE TARIFF 3-A

NAMING OF RATES AND TARIFFS FOR THE TRANSPORTATION OF LIVESTOCK OVER THE PUBLIC HIGHWAYS WITHIN THE STATE OF CALIFORNIA BY RADIAL HIGHWAY COMMON CARRIERS, HIGHWAY CONTRACT CARRIERS AND LIVESTOCK CARRIERS.

MINIMUM RATES AND RULES

FOR THE TRANSPORTATION OF LIVESTOCK OVER THE PUBLIC HIGHWAYS WITHIN THE STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS  
HIGHWAY CONTRACT CARRIERS  
AND  
LIVESTOCK CARRIERS

Decision No. 90735

EFFECTIVE SEPTEMBER 16, 1979

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the rates and rules in this tariff, and increase the resulting total amount by six and three-quarters (6 3/4) percent. (See Exception)

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half (1/2) cent shall be dropped and fractions of one-half (1/2) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

- 1. Items 210, 220 and 221 (Railhead-to-railhead charges only).

o Increase, Decision No. 90735

C. 5438, Pet. 121  
SURCHARGE SUPPLEMENT

SUPPLEMENT 7

(Cancels Supplement 6)

(Supplement 7 Contains All Changes)

TO

MINIMUM RATE TARIFF 8-A

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF FRESH FRUITS,

FRESH VEGETABLES AND EMPTY

CONTAINERS OVER THE PUBLIC HIGHWAYS

BETWEEN POINTS IN THE STATE OF

CALIFORNIA AS DESCRIBED HEREIN

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

AGRICULTURAL CARRIERS

Decision No. 90735

EFFECTIVE SEPTEMBER 16, 1979

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with rates and rules in this tariff and increase the amount so computed as follows: (See Exception)

1. By six and one-half (6½) percent on charges computed at rates subject to minimum weights of 4,000 pounds or more;
2. By five and one-quarter (5¼) percent on all other rates and charges.

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half (½) cent shall be dropped and fractions of one-half (½) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

1. Items 70, 80, 90 and 100 - (Railhead-to-railhead charges only);
2. Item 120 - Accessorial Charges resulting under Paragraph 1(b);
3. Item 150 - Charges for Loading and Unloading;
4. Item 160 - Special Charges on Shipments Destined to Certain Produce Terminals;
5. Item 260 - Collect on Delivery (C.O.D.) Shipments.

THE END

◊ Increase, Decision No. 90735



SUPPLEMENT 24

(Cancels Supplement 22)

(Supplements 8, 18, 23 and 24 Contain All Changes)

MINIMUM RATE TARIFF 14-A

NAMING

MINIMUM RATES AND RULES

FOR THE  
TRANSPORTATION, IN BULK, OF  
AGRICULTURAL COMMODITIES AND

RELATED ARTICLES

NAMED HEREIN

OVER THE PUBLIC HIGHWAYS WITHIN THE

STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

AGRICULTURAL CARRIERS

Decision No. 90735

EFFECTIVE SEPTEMBER 16, 1979

AS AMENDED

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 ten (10) percent. (See Exception)

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half (½) cent shall be dropped and fractions of one-half (½) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

1. Items 200 and 210 (Railhead-to-railhead charges only);
2. Item 232 - Collect on Delivery (C.O.D.) Shipments.

THE END