

SEP 12 1979
 90816

ORIGINAL

Decision No. 90816

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.)

Case No. 5432
 Petitions for Modification
 Nos. 884, 951, 966
 Order Setting Hearing 957

Case No. 5439
 Petitions for Modification
 Nos. 270, 307, 312
 Order Setting Hearing 310

Case No. 5441
 Petitions for Modification
 Nos. 356, 388, 394
 Order Setting Hearing 392

Case No. 5603
 Order Setting Hearing 208

Case No. 7783
 Order Setting Hearing 156

And Related Matters

SUPPLEMENTAL ORDER

On August 14, 1979, the Commission issued Decision No. 90663 cancelling minimum rate tariffs (MRT's) 1-B, 2, 9-B, 11-A, 15 and 19 and establishing a system of competitive individual carrier-filed rates. Minimum rates were to be cancelled and the new program implemented on January 31, 1980. It now appears that the Legislature desires implementation of Decision 90663 be deferred from January 31, 1980, to April 30, 1980. In order to comply with this

intent, Decision 90663 should be modified as set forth below.

IT IS ORDERED that:

1. Cancellation of minimum rate tariffs 1-B, 2, 9-B, 11-A, 15 and 19 is postponed from January 31, 1980, to April 30, 1980.
2. Implementation of the Commission's program for competitive individual carrier-filed rates is deferred from January 31, 1980, to April 30, 1980.
3. Upon cancellation of MRT's 1-B, 2, 9-B, 11-A, 15 and 19, contract carriers may operate only pursuant to contracts on file with the Commission. Contracts may be filed anytime prior to April 30, 1980, and thereafter as negotiated.
4. Transition tariffs 1-B, 2, 9-B, 11-A, 15 and 19 will consist of the lowest rates contained in similarly numbered minimum rate tariffs and any California Public Utilities Code Section 3666 or 452 deviations in effect on April 30, 1980.
5. All deviations authorized under Section 3666, applicable to transportation covered by these proceedings, shall expire April 30, 1980.
6. The Commission's Transportation Division shall prepare the transition tariffs for distribution by April 1, 1980.
7. Rail rates contained in contracts filed on or before April 30, 1980, and rail rates contained in motor common carrier tariffs on April 30, 1980, may continue to be charged without justification after minimum rates are cancelled.

C. 5432 Pet. 884, et al. mw

8. The Executive Director shall serve a copy of this decision on all highway carriers and all appearances of record.

The effective date of this order shall be the date hereof.

Dated : SEP 12 1979, San Francisco, California.

John E. Byrne

PRESIDENT
Robert W. Howell

Charles J. ...

James ...

COMMISSIONERS