

EAB/RI *Alternate

ORIGINAL

Decision No. 90892

OCT 10 1979

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)
(Amended September 24, 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)
(Amended September 24, 1979)

FIFTH INTERIM OPINION AND ORDER

Decision No. 90890, 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 October 28, 1979, Supplement 18, attached hereto and by
this reference made a part hereof.

2. Minimum Rate Tariff 8-A (Appendix B to Decision No. 85826, as amended) is further amended by incorporating therein, to become effective October 28, 1979, Supplement 8, 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 October 28, 1979, Supplement 25, 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, Decision Nos. 55587, 85326, 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 - RI

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 Oct 10 1979, at San Francisco, California.

John E. Byron
President
Dennis L. Higgins
Richard D. Harbo
Lawrence J. Gorman
Commissioners

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

SUPPLEMENT 18

(Cancels Supplement 17)

(Supplement 18 Contains All Changes)

THE NEW REGULATIONS AS APPLIED TO CUSTOM AND FREIGHT, BEING...
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.

50892

22002

EFFECTIVE

10/28/79

OF INCREASES

(See Appendix A)

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 seven and three-quarters (7 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).

THE END

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THE END

Increase, Decision No.

90892

DECISION NO.

SUPPLEMENT 8

NO (Cancels Supplement 7)

(Supplement 8 Contains All Changes)

Except as otherwise provided, the provisions of this supplement shall apply to the extent of the minimum rates and rules set forth in this supplement and to the extent of the minimum rates and rules set forth in this supplement.

TO

BY SIX (6) MONTHS (7) YEAR AND ONE (1) YEAR

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 (C.O.C.)

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

AGRICULTURAL CARRIERS

Decision No.

90892

90892

EFFECTIVE

10/28/79

APPLICATION OF SURCHARGE

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 seven and one-half (7½) percent on charges computed at rates subject to minimum weights of 4,000 pounds or more;
2. By six (6) 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.

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Decision No.

ADDITIONAL TO DECISION NO. 90852
SUPPLEMENT 25

(Cancels Supplement 24) (Supplements 8, 18, 23 and 25 Contain All Changes)

MINIMUM RATE TARIFF 14-A

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.

90852

EFFECTIVE

10/28/79

APPLICATION OF SURCHARGE

OF TRANSPORTATION

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 eleven and one-quarter (11 1/4) 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 200 and 210 (Railhead-to-railhead charges only);
2. Item 232 - Collect on Delivery (C.O.D.) Shipments.

COMMERCIAL TRANSPORTATION

CREDITED AGAINST

OTHER CHARGES

AND THIS TARIFF APPLIES WITHIN THE

UNITED STATES

THE END

COMMERCIAL TRANSPORTATION

AND THIS TARIFF APPLIES WITHIN THE

UNITED STATES

COMMERCIAL TRANSPORTATION

o Increase, Decision No.

90892

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