

CEP/FS

90908

OCT 10 1979

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering 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

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 6 to the Governing Classification appeared on the Commission's Daily Calendar of July 21, 1979. No objection to its adoption having been received, the Commission, on August 28, 1979, in Special Tariff Docket 9449, granted authority to the National Motor Freight Traffic Association Inc., Agent, to amend the Governing Classification by incorporating therein Supplement 6.

The Interstate Commerce Commission, hereinafter referred to as the I.C.C., by order dated August 15, 1979, issued an Investigation and Suspension in Docket No. M-30073 (Sub No. 3) suspending certain of the tariff schedules in Supplement 6 to and including March 17, 1980. By a previous order in Investigation and Suspension Docket No. M-30073, dated May 23, 1979, the I.C.C. suspended certain

of the tariff schedules in Supplement 1 to the Governing Classification to and including January 31, 1980. These tariff schedules were suspended on California intrastate traffic by Decision No. 90932, dated July 3, 1979, until further order of the Commission. During the period of suspension, the I.C.C. will investigate the lawfulness of the suspended tariff schedules.

A suspension supplement, Supplement 10, to the Governing Classification was issued September 7, 1979, by James C. Harkins, Issuing Officer, listing the items numbers, description of the suspended matter and the provisions to apply during the period of suspension of the tariff schedules suspended in Supplements 1 and 6.

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 6 and to continue the suspension of the tariff schedules in Supplement 1 to the Governing Classification which are subject to the I.C.C. investigation by the adoption of Supplement 10.

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:

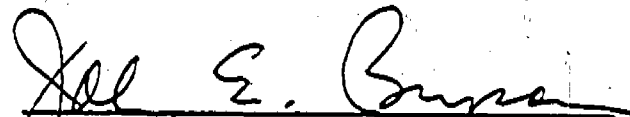
1. Supplement 10 to the National Motor Freight Classification NMF 100-F, National Motor Freight Traffic Association, Inc., Agent, James C. Harkins, Issuing Officer, is hereby adopted for California intrastate traffic.

C. 5432, et al. - FS

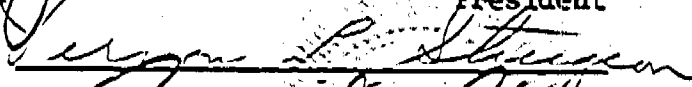
2. The Executive Director of the Commission shall cause service by mail of this order to be made on the National Motor Freight Traffic Association, Inc., James C. Harkins, Issuing Officer, 1616 P Street N.W., Washington, DC 20036.

The effective date of this order is the date hereof.

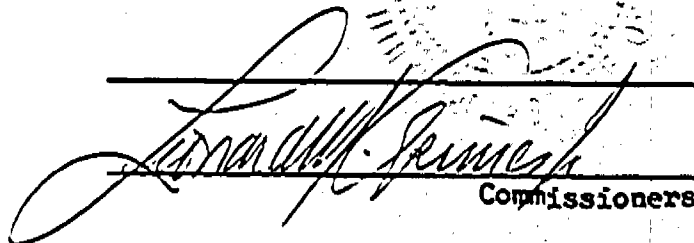
Dated OCT 10 1979, at San Francisco, California.



President







Commissioners

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