

EAB/FS

Decision No. 91408 MAR 4 1980

**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 February 8, 1980)

And Related Matters. )

Case No. 5438  
Petition for Modification  
No. 121  
Case No. 7857  
Petition for Modification  
No. 168  
(Filed March 7, 1979)  
(Amended February 8, 1980)

SEVENTE INTERIM OPINION AND ORDER

Decision No. 91406, 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 March 22, 1980, Supplement 20, 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 March 22, 1980, Supplement 10, 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 March 22, 1980, Supplement 27, 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, 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 MAR 4 1980, at San Francisco, California.

*I dissent*  
*Edward J. Smith*

*John E. Byrne*  
\_\_\_\_\_  
President  
*Vernon L. Sturgeon*  
\_\_\_\_\_  
*Richard W. Wood*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

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

SURCHARGE SUPPLEMENT

SUPPLEMENT 20

(Cancels Supplement 19)  
(Supplement 20 Contains All Changes)

TO

MINIMUM RATE TARIFF 3-A

NAMING

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.

91408

EFFECTIVE

3/22/80

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 amount so computed as follows: (See Exception)

1. By eight (8) percent on charges computed in connection with rates subject to 150 constructive miles or less;
2. By thirteen and one-half (13½) percent on charges computed in connection with rates subject to over 150 miles.

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. Item 110 - Accessorial charges;
2. Items 170 and 180 - Split Pickup and Split Delivery;
3. Item 200 - Stopping in Transit;
4. Items 210, 220 and 221 - (Railhead-to-railhead Charges only).

THE END

of Increase, Decision No.

20212

**SURCHARGE SUPPLEMENT**

**SUPPLEMENT 10**

**(Cancels Supplement 9)**

**(Supplement 10 Contains ALL Changes)**

**TO**

**MINIMUM RATE TARIFF 8-A**

**MAKING**

**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**

**91408**

Decision No.

EFFECTIVE

3/22/80

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 nine and one-half (9½) percent on charges computed at rates subject to minimum weights of 4,000 pounds or more;
2. By seven and three-quarters (7¾) 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. Item 50 - Depot allowance;
2. Items 70, 80, 90 and 100 - (Railhead-to-railhead charges only);
3. Items 110 and 120 - Accessorial Services;
4. Item 150 - Charges for Loading and Unloading;
5. Item 160 - Special Charges on Shipments Destined to Certain Produce Terminals;
6. Item 260 - Collect on Delivery (C.O.D.) Shipments;
7. Items 290, 300 and 310 - Charges for Produce Service Shipment, Split Delivery and Split Pickup;
8. Item 330 - Gross Weight (Charges resulting under paragraph (d)).

ENDING TOWARD

THE END

ENDING TOWARD

To Increase, Decision No.

80412

101 1011200



SUPPLEMENT 27

(Cancels Supplement 26)

(Supplements 8, 18, 23 and 27 Contain All Changes)

TO

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.

91408

EFFECTIVE

3/22/80

## 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 fourteen (14) percent. (See Exception)

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

EXCEPTION: The surcharge herein shall not apply to:

1. Item 120 - Delays to Equipment;
2. Item 135 - Charges for Obtaining a Weighmaster's Certificate;
3. Item 170 - Split Pickup or Split Delivery Charges;
4. Item 190 - Stopping in Transit;
5. Items 200 and 210 - (Railhead-to-railhead charges only);
6. Item 232 - Collect on Delivery (C.O.D.) Shipments.

THE END

o Increase, Decision No.

03 3312

20412