

Decision No. 91411 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 )	Case No. 5440
considering and determining )	Petition for Modification
minimum rates for transportation )	No. 108
of cement and related products )	(Filed March 7, 1979)
statewide as provided in )	(Amended February 8, 1980)
Minimum Rate Tariff 10 and the )	
revisions or reissues thereof. )	

SEVENTH INTERIM OPINION AND ORDER

Decision No. 91406 entered today in Case No. 5432 (Petition 1042), et al., and Case No. 5440 (Petition 108) provided that Minimum Rate Tariff 10 should be made subject to additional cost offset increases and that amendment of the tariff by surcharge supplement should be accomplished by separate order.

IT IS ORDERED that:

1. Minimum Rate Tariff 10 (Appendix A to Decision No. 44633, as amended) is further amended by incorporating therein, to become effective March 22, 1980, Supplement 33, attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision No. 44633, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 rates.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff 10 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 rates.

5. 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 Tariff 10 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariff 10 rates.

6. Common carriers maintaining rates not otherwise referred to in other ordering paragraphs of this decision are authorized to increase such rates by nine and one-half percent.

7. 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 supplement 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.

8. 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 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.

9. In all other respects, Decision No. 44633, as amended, shall remain in full force and effect.

10. 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 Tariff 10.

11. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 10.

The effective date of this order is the date hereof.

Dated MAR 4 1980, at San Francisco, California.

*John E. Bryan*  
\_\_\_\_\_  
President  
*William L. Strayhorn*  
\_\_\_\_\_  
*Charles W. Howell*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

*I dissent*  
*Edmund J. Smith*

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

SURCHARGE SUPPLEMENT

REGULATORY COMMISSION OF THE STATE OF CALIFORNIA

REGULATORY COMMISSION OF THE STATE OF CALIFORNIA

SUPPLEMENT 33

(Supplements 13 and 33 Contain All Changes)

MINIMUM RATE TARIFFS

DISTANCE MINIMUM RATES

ALSO

RULES

FOR THE

TRANSPORTATION OF CEMENT AND OTHER COMMODITIES OVER THE

PUBLIC HIGHWAYS WITHIN THE

STATE OF CALIFORNIA

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND CEMENT CONTRACT CARRIERS

Decision No.

91411

EFFECTIVE

3/11/80

## APPLICATION OF SURCHARGE

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

1. By sixteen and one-half (16½) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in bulk of 80 constructive miles or less.
2. By fifteen and three-quarters (15¾) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in bulk of over 80 constructive miles.
3. By sixteen and one-half (16½) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in packages of 80 constructive miles or less.
4. By sixteen (16) percent on charges computed at rates set forth in Item 210 (Southern Territory) for shipments in packages or over 80 constructive miles.
5. By eighteen and one-quarter (18¼) percent on charges computed at the rates set forth in Item 205 (Northern Territory) for shipments in bulk.
6. By nineteen and one-quarter (19¼) percent on charges computed at the rates set forth in Item 205 (Northern Territory) for shipments in packages of 75 constructive miles or less.
7. By eighteen and one-quarter (18¼) percent on charges computed at the rates set forth in Item 205 (Northern Territory) for shipments in packages over 75 constructive miles.
8. By sixteen and one-quarter (16¼) percent on charges computed at rates set forth in Item 220.
9. By seventeen and three-quarters (17¾) 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 95 - Charges for obtaining a Weighmaster's Certificate;
2. Item 100 - Accessorial charges;
3. Item 142 - Collect on Delivery (C.O.D.) Shipments.

THE END

o Increase, Decision No.