

C-5441 Pet. 410 ALW/fc/hh

**ORIGINAL**Decision No. 91569 APR 15 1980

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 general commodi- )  
 ties in the Counties of Contra )  
 Costa, Lake, Marin, Mendocino, )  
 Monterey, Napa, San Benito, San )  
 Mateo, Santa Clara, Santa Cruz, )  
 Solano and Sonoma, and in the )  
 County of Alameda and in the City )  
 and County of San Francisco as )  
 provided in Minimum Rate Tariffs )  
 1-B and 19, respectively, and the )  
 revisions or reissues thereof. )

Case No. 5441  
 Petition for Modification  
 No. 410  
 (Filed September 29, 1978  
 amended March 12, 1979,  
 and July 31, 1979,  
 and November 16, 1979)

FINAL OPINION AND ORDER

Decision No. 91567, entered today in Case No. 5432 (Petition 1034) et al. and Case No. 5441 (Petition 410), provided that Minimum Rate Tariffs 1-B and 19 should be made subject to certain interim 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 1-B (Appendix B of Decision No. 65834, as amended) is further amended by incorporating therein, to become effective April 20, 1980, Supplement 43, attached hereto and by this reference made a part hereof.
2. Minimum Rate Tariff 19 (Appendix A of Decision No. 41363, as amended) is further amended by incorporating therein, to become effective April 20, 1980, Supplement 52, attached hereto and by this reference made a part hereof.
3. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decisions Nos. 65834 and

41363, as amended, are hereby directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.

4. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariffs 1-3 and 19 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariffs 1-3 and 19 rates.

5. Common carriers maintaining rates on the same level as Minimum Rate Tariffs 1-3 and 19 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariffs 1-3 and 19 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariffs 1-3 and 19.

6. 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 1-3 and 19 are authorized to increase such rates by the same amounts authorized by this decision for Minimum Rate Tariffs 1-3 and 19 rates.

7. 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 1-3 and 19, are authorized to be maintained in connection with the increased rates and charges directed to be established by Ordering Paragraph 3 hereof.

8. 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 made effective April 20, 1960, on not less than five days' notice to the Commission and to the public; as to tariff publications which are authorized, but not required, the authority shall expire unless exercised within sixty days after the effective date of this order.

9. 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.

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 Tariffs 1-B and 19.

11. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariffs 1-B and 19.

12. In all other respects Decisions Nos. 65834 and 41363, as amended, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated APR 15 1980, at San Francisco, California.

*I dissent*  
*Leonard M. [Signature]*

\_\_\_\_\_  
 President  
*Veronica L. [Signature]*  
 \_\_\_\_\_  
*William H. [Signature]*  
 \_\_\_\_\_  
*Paul J. [Signature]*  
 \_\_\_\_\_  
 Commissioners

Commissioner John E. Bryson, being necessarily absent, did not participate.

SURCHARGE SUPPLEMENT

SUPPLEMENT 43

(Supplements 20 and 43 Contain All Changes)

TO

MINIMUM RATE TARIFF 1-B

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY OVER THE

PUBLIC HIGHWAYS WITHIN AND

BETWEEN THE CITIES OF

ALAMEDA ALBANY BERKELEY

EMERYVILLE OAKLAND PIEDMONT

BY

RAEAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AGRICULTURAL CARRIERS

CEMENT CONTRACT CARRIERS

AND

DUMP TRUCK CARRIERS

Decision No.

91569

EFFECTIVE

4/20/50

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the provisions of this tariff, including any surcharges applicable thereto under other supplements of this tariff, and increase the amount so computed as follows: (See Exception)

1. By twenty-one and three-quarters (21¾) percent on rates and charges named in Items 110, 140, 160, 190 and 280-282;
2. By twenty-five and three-quarters (25¾) 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 surcharges herein shall not apply to:

1. Item 130 - Alternative Application of Common Carrier Rates (Railhead-to-railhead charges only);
2. Item 142 - Charges for Obtaining a Weighmaster's Certificate;
3. Item 152 - Collect on Delivery Shipments;
4. Item 153 - Special C.O.D. Service;
5. Item 160 - Charges for Escort Service (Paragraph (b) only);
6. Item 170 - Charges for Permit Shipments;
7. Item 180 - Failure to Accomplish Delivery;
8. Item 210 - Export Freight Clearances;
9. Item 250 - Loss and/or Damage Claims;
10. Item 260 - Marking or Tagging of Packages.

THE END

o Increase, Decision No.

4550

00220

SURCHARGE SUPPLEMENT

SUPPLEMENT 52

(Cancels Supplement 51)  
(Supplements 29 and 52 Contain All Changes)

MINIMUM RATE TARIFF 19

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY OVER THE

PUBLIC HIGHWAYS

OF THE

CITY AND COUNTY OF SAN FRANCISCO

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AGRICULTURAL CARRIERS

AND

DUMP TRUCK CARRIERS

Decision No.

91569

EFFECTIVE

4/28/80

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the provisions of this tariff, including any surcharges applicable thereto under other supplements of this tariff, and increase the amount so computed by twenty-four (24) 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. Item 90 - Charges for Obtaining a Weighmaster's Certificate;
2. Item 106 - Charges for Permit Shipments;
3. Item 111-1 - Special C.O.D. Service;
4. Item 112 - Collection Delivery Shipments;
5. Item 130 - Collection of Loss and/or Damage Claims;
6. Item 140 - Delays in Delivery;
7. Item 160 - Export Freight Clearances;
8. Item 265 - Alternative Application of Common Carrier Rates Rates (Railhead-to-railhead portion only).

THE END

o Increase, Decision No.

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