

Decision No. 92567 DEC 30 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
tion for the purpose of consid-)
ering and determining minimum)
rates for transportation of used)
household goods and related)
property statewide as provided)
in Minimum Rate Tariff 4-B and)
the revisions or reissues)
thereof.)

Case No. 5330

SUPPLEMENTAL OPINION AND ORDER

Certain provisions in Item 33.7 of Minimum Rate Tariff 4-B will expire on December 31, 1980.

By letter dated December 12, 1980, Austin L. Mount, Supervisor, Cal-United Operation, United Van Lines, (United) Whittier, California requested the Commission extend these provisions for another year.

United's request to extend the expiration date beyond December 31, 1980 in Item 33.7 has merit and the Commission believes that this is a reasonable request. The expiration date in Item 33.7 should be extended for an additional year to December 31, 1981.

IT IS ORDERED that:

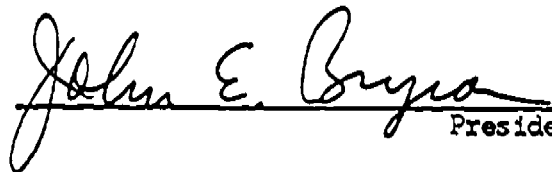
1. Minimum Rate Tariff 4-B (Appendix C to Decision 65521, as amended) is further amended by incorporating therein, to become effective January 1, 1981, Fourth Revised Page 7-BBBB, attached hereto and by this reference made a part hereof.

2. In all other respects Decision 65521, as amended, shall remain in full force and effect.

3. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 4-B.

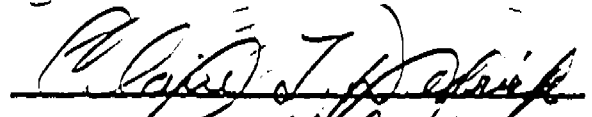
The effective date of this order is the date hereof.

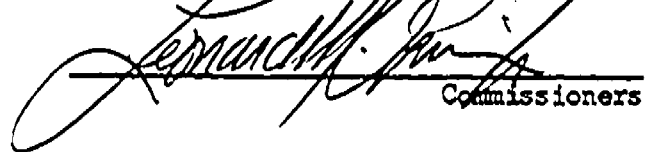
Dated DEC 30 1980, at San Francisco, California.



President







Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">PENALTIES AND REPORTING OF UNDERESTIMATES (See Exception in Item 31)</p> <ol style="list-style-type: none"> 1. An underestimate occurs when the charge assessed by the carrier exceeds the original estimate by more than (a) 25 percent or \$15.00, whichever is greater, on distance moves involving rates in Items 300 and 320, plus the charge on the Addendum Order for Service, or (b) 10 percent or \$15.00, whichever is greater, on hourly moves, plus the charge on the Addendum Order for Service. 2. The penalty for underestimating is the difference between the charge under the applicable minimum rates, on the one hand, and the charge based on the estimate plus (E)10 percent or (E)\$60.00, whichever is greater, on distance moves involving rates in Items 300 and 320 plus the charge on the Addendum Order for Service, or 10 percent or \$15.00, whichever is greater, on hourly moves involving rates in Item 330, plus the charge on the Addendum Order for Service, on the other hand. 3. Penalties for underestimates shall be paid to the Commission for deposit in the General Fund of the State of California. Each underestimate subject to a penalty shall be reported within thirty days after completion of the transportation service. The report shall be accompanied by a check or money order made payable to the Commission for the amount of the penalty imposed, whether or not the carrier has received full payment for its services. 4. The Commission shall furnish to each carrier subject to this tariff a sample form for the information of the carrier to be used for reporting underestimates, and penalties. It is the carrier's responsibility to reproduce necessary copies of the form for its own use. 5. Every Household Goods Carrier and officer, director, agent or employee of any Household Goods Carrier who deliberately underestimates charges applicable to the carriage of goods under Minimum Rate Tariff 4-B, in order to encourage a shipper to engage its transportation services is subject to the penalties and restrictions provided in Articles 7 and 8 of the Household Goods Carriers Act. For the purposes of this rule, a deliberate underestimate shall mean the tendering of a willful and intentional quotation of probable cost of services less than that required by application of unit costs prescribed in Minimum Rate Tariff 4-B, with knowledge that the actual charges required by the tariff will be more than the amount of the quotation or estimate. 	<p>833.7</p>
<p>800(E) Expires December 31, 1981.</p> <p> o Change) o Increase) Decision No. 92567 o Reduction) </p>	
<p>EFFECTIVE JANUARY 1, 1981</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction