

ORIGINAL

Decision 93519 SEP 1 1981

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 used household )  
goods and related property )  
statewide as provided in Minimum )  
Rate Tariff 4-B and the revisions )  
or reissues thereof. )

Case 5330  
Petition for Modification  
114  
(Filed March 18, 1980;  
amended December 9, 1980)

(See Decision 92900 for appearances.)

FINAL OPINION ON REHEARING

This application, filed by the California Moving and Storage Association (CMSA) in March of 1980, requests that the rates and charges contained in Minimum Rate Tariff 4-B (MRT 4-B) be increased between 5.3% and 8.8% to offset certain increased expenses. By Decision (D.) 92017 dated July 2, 1980, we dismissed this application based primarily on the finding that household goods carriers require no specific authority from the Commission to increase their rates. CMSA filed a petition for rehearing on July 28, 1980, which was granted by D.92313 dated October 8, 1980.

After the grant of rehearing, but before the hearings were held, CMSA amended the original petition by requesting an additional increase of 8% in the minimum rate tariff to reflect increased costs to be incurred between April and July of 1981.

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By D.92900 issued April 7, 1981 (Interim Opinion), we granted the original petition. In D.92900 we did not consider the amendment to the petition because all of the costs upon which the amendment was based had not yet been incurred by the industry. These costs have now been incurred and the amended petition will be granted. This is consistent with our policy of maintaining the minimum rate tariff on a current level until our reregulation proceeding is completed.

Findings of Fact

1. Since the rates were last adjusted on an interim basis in MRT 4-B (April 1981), carrier operating costs have risen with respect to transportation services performed under the provisions of that tariff.
2. CMSA requests offset increases based on the direct wage cost offset method to reflect the increased costs referred to in Finding 1, above.
3. The proposed total rate increases amount to an average of 6.3% for distance rates. For hourly rates, increases amount to an average of 11.6% for Territory A; 8.9% for Territory B; and 9.2% for Territory C. The proposed rate increases will result in approximately \$12.0 million additional annual tariff revenue.
4. Substantial numbers of household goods shipments are presently transported at rates above the minimum rate level.
5. Household goods carriers require no specific authority from the Commission to increase their rates.
6. The Transportation Division staff recommends that the increase be granted.
7. The Consumer Affairs Branch staff recommends that the increase be denied.

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8. Hearings have commenced in the reregulation proceeding for MRT 4-B.

9. The increases in rates and charges authorized by this decision are justified and are reasonable; and the present rates and charges, insofar as they differ from those prescribed by this decision, are for the future unjust and unreasonable.

10. Because the cost increases referred to in Finding 1 have been incurred as early as April 1, 1981, this order should be made effective the date of signing.

Conclusion of Law

Petition for Modification 114 filed March 1980 to the extent ordered should be granted.

FINAL ORDER

IT IS ORDERED that:

1. Minimum Rate Tariff 4-B (Appendix C to D.65521, as amended) is further amended by incorporating the revised pages set forth in Appendix A, to become effective September 26, 1981.

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

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

This order is effective today.

Dated SEP 1 1981, at San Francisco, California.

John C. Byron  
President  
Richard D. Hooley  
Edward W. Jensen  
Victor Elias  
Priscilla C. Allen  
Commissioners

APPENDIX A

LIST OF SUPPLEMENT AND REVISED PAGES TO  
MINIMUM RATE TARIFF 4-B

SIXTEENTH	REVISED	PAGE 9
TWENTIETH	REVISED	PAGE 10
SEVENTEENTH	REVISED	PAGE 17
SIXTEENTH	REVISED	PAGE 18
SIXTEENTH	REVISED	PAGE 26
SIXTEENTH	REVISED	PAGE 27
THIRTY-FOURTH	REVISED	PAGE 28
THIRTY-THIRD	REVISED	PAGE 29

(END OF APPENDIX A)

SECTION 1--RULES (Continued)	RATE
<p style="text-align: center;"><b>MIXED SHIPMENTS</b></p> <p>(a) When one or more commodities for which rates are not provided in this tariff are included in the same shipment with commodities for which rates are herein provided, the rate or rates applicable to the entire shipment may be determined as though all of the commodities were ratable under the provisions of this tariff at the combined weight of the mixed shipment; or the commodities for which rates are provided in this tariff may be transported at the applicable rates provided herein, and the commodities for which rates are not provided herein, at the rates provided in other Commission tariffs or which might be otherwise applicable, provided separate weights or other authorized units of measurement are furnished or obtained. In the event that the latter basis is used, the minimum charges provided in this tariff shall apply to the entire shipment.</p> <p>(b) When any uncrated portion of a shipment of commodities for which rates are herein provided requires protection against damage after receipt thereof by the carrier and such protection is afforded by the carrier by packing such uncrated portion of the shipment in containers, such portion so packed shall be rated as uncrated property.</p>	65
<p style="text-align: center;"><b>APPLICATION OF RATES</b></p> <p>(a) Rates provided in Items 300, 320, 330 and 340 are for the transportation of shipments from point of origin to point of destination, from point of origin to point of storage-in-transit, or from point of storage-in-transit to point of destination, and include pickup and delivery, subject to Item 75.</p> <p>(b) For transportation of shipments for distances of 50 miles or less, rates shall apply in cents per hour (See Note), in cents per piece, or in cents per 100 pounds (Items 300, 320, 330 and 340), subject to Items 145, 150 and 155.</p> <p>(c) For transportation in excess of 50 miles, rates in Items 300 and 320 shall apply, subject to Item 35.</p> <p>(d) Rate in Item 350 shall apply for the accessorial services of packing and unpacking in the territory in which the service is performed.</p> <p>(e) Item 360 provides rates for transportation of empty shipping containers and a basis of charges for the furnishing of shipping containers and packing materials by the carrier.</p> <p>(f) Item 80 provides valuation charges for all shipments not released to a value of sixty (60) cents per pound, per article.</p> <p>NOTE.--The highest rated territory in or through which any service is performed shall determine the applicable hourly rate.</p>	70
<p style="text-align: center;"><b>PICKUP AND/OR DELIVERY AT OTHER THAN GROUND FLOOR</b></p> <p>When shipments are picked up or delivered, or both, at other than ground floor, the following additional charges per pickup or delivery per flight and/or long carry shall be assessed:</p> <ol style="list-style-type: none"> <li>1. At hourly rates (Item 330) No additional charge.</li> <li>2. At piece rate (Item 340) 195 cents per piece.</li> <li>3. At distance rates (Items 300 and 320) 65 cents per 100 pounds.</li> </ol>	75
<p>Increase, Decision No. <span style="font-size: 1.2em; font-weight: bold;">93519</span></p>	
<p>EFFECTIVE <span style="font-size: 1.2em; font-weight: bold;">9/26/81</span></p>	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;"><b>DECLARATION OF VALUE--VALUATION CHARGES (Concluded)</b></p> <p>(f) The following minimum valuation charges will apply to all shipments not released to a value of 60 cents per pound per article (See Note 1):</p> <p style="text-align: center;"><b>TRANSPORTATION VALUATION CHARGE</b></p> <p style="text-align: center;">50 cents per each \$100 (or fraction thereof) of released valuation. (See Note 3)</p> <p style="text-align: center;"><b>STORAGE-IN-TRANSIT VALUATION CHARGE</b></p> <p style="text-align: center;">10 cents per each \$100 (or fraction thereof) of released valuation. (See Note 2)</p> <p>NOTE 1.--If the shipper wishes to avoid these additional charges, he must enter a released value of 60 cents per pound per article on the shipping document.</p> <p>NOTE 2.--No charge shall be made where storage-in-transit of a shipment is undertaken for carrier's convenience.</p> <p>NOTE 3.--On shipments which are stored in transit in accordance with the provisions of Item 180, separate transportation valuation charges shall be assessed for the transportation from initial point of origin to point of storage and for the transportation from point of storage to point of destination.</p> <p>(g) Each shipping piece or package and contents thereof shall constitute one article, except that total component parts of any article taken apart or knocked down for handling and loading in vehicle shall constitute one article for the purpose of determining carrier's liability. (See Note)</p> <p>NOTE.--When an entire shipment is transported in containers, lift vans, or shipping boxes, each shipping package, piece, or loose item not enclosed within a package in such containers, lift vans, or shipping boxes will constitute the article.</p>	80 (Concluded)
<p style="text-align: center;"><b>DISPOSITION OF FRACTIONS</b></p> <p>In computing a rate based on a percentage of another rate, the following rule shall be observed in the disposition of fractions:</p> <p style="text-align: center;">Fractions of less than <math>\frac{1}{4}</math> or .50 of a cent, omit.</p> <p style="text-align: center;">Fractions of <math>\frac{1}{4}</math> or .50 of a cent or greater, increase to next whole figure.</p>	85
<p style="text-align: center;"><b>DIVERTED SHIPMENTS</b></p> <p>Charges upon a shipment transported under rates provided in Items 300 or 320 which has been diverted shall be computed at the applicable rate in effect on date of shipment from point of origin via each point where diversion occurs to final destination plus an additional charge of \$15.40 for each diversion.</p>	90
<p>Increase, Decision No. <span style="font-size: 1.5em; font-weight: bold;">93519</span></p>	
<p>EFFECTIVE <span style="font-size: 1.5em; font-weight: bold;">9/26/81</span></p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;"><b>DELAYS IN PICKUP OR DELIVERY</b></p> <p>(a) If a carrier agrees with a shipper to pickup a shipment of used household goods on a specified date and/or time and it is unable to fulfill that commitment, the carrier shall notify the shipper, or person designated by the shipper, by telegram or telephone, at the carrier's expense, as soon as it becomes apparent that a promised date and/or time will not be met.</p> <p>(b) Whenever a carrier is unable to make delivery of a shipment of household goods on the date or during the period specified in the receipt or shipping order, the carrier shall notify the shipper, or person designated by the shipper, by telegram or telephone, at the carrier's expense, of the date on which delivery of the shipment will be made; such notification to be given not less than 24 hours prior to the date or during the period shown on the receipt of shipping order except when the circumstances causing the delay occur at a later time, in which case the notice shall be given as soon as possible but in no event more than 24 hours after the occurrence, provided, that the requirement of this paragraph shall not apply where the carrier is unable to obtain from the shipper an address or telephone number for such notification.</p> <p>(c) Claims for reimbursement for damages to a shipper because of carrier negligence in failing to pick up a shipment on the date promised or failing to deliver a shipment by the preferred date or period of time specified in the shipping order, confirmation of shipping instruction and rate quotation document, or other contract of carriage, presented by the shipper to the carrier shall be responded to by the carrier in accordance with Rule 2.7 of General Order No. 139.</p>	162
<p style="text-align: center;"><b>WAITING OR DELAY</b></p> <p>When vehicle is held for convenience of the shipper or consignee through no fault of the carrier in connection with shipments moving or to be moved under rates contained in Items 300 or 320, a charge at the hourly rates provided in Item 330 will be assessed for each hour or fraction thereof over one hour.</p>	165
<p style="text-align: center;"><b>SPLIT PICKUP</b></p> <p>Split pickup service may be accorded subject to the following conditions:</p> <ol style="list-style-type: none"> <li>(1) The charge for the composite shipment shall be paid by one consignor, consignee, or other interested party.</li> <li>(2) Split delivery service shall not be accorded.</li> <li>(3) In the event a lower aggregate charge results from treating one or more component parts as a separate shipment said charge may be applied.</li> <li>(4) Charges shall be computed as follows:             <ol style="list-style-type: none"> <li>(a) Under hourly rates (Item 330). Apply applicable rate for the total time consumed in loading at the point of origin of each component part, and unloading at point of destination, plus double the driving time between each such point. (Total time shall be converted into hours and/or fractions thereof in accordance with the provisions of Item 95.)</li> <li>(b) Under distance rates (Items 300 and 320). Apply the applicable rate to the total weight of the composite shipment for the distance from point of origin of any component part to point of destination via the points of origin of all other component parts, plus an additional charge of \$33.40 for each stop to load between first point of origin and point of destination.</li> </ol> </li> </ol>	170
<p>Increase, Decision No. <b>92519</b></p>	
<p>EFFECTIVE <b>9/26/81</b></p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

Correction

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;"><b>SPLIT DELIVERY</b></p> <p>Split delivery service may be accorded subject to the following conditions:</p> <p>(1) The charge for the composite shipment shall be paid by one consignor, consignee, or other interested party.</p> <p>(2) Split pickup service shall not be accorded.</p> <p>(3) In the event a lower aggregate charge results from treating one or more component parts as a separate shipment said charge may be applied.</p> <p>(4) Charges shall be computed as follows:</p> <p>(a) Under hourly rates (Item 330). Apply applicable rate for the total time consumed in loading at point of origin and unloading at point of destination of each component part, plus double the driving time between each such point. (Total time shall be converted into hours and/or fractions thereof in accordance with the provisions of Item 95.)</p> <p>(b) Under distance rates (Items 300 and 320). Apply the applicable rate to the total weight of the composite shipment for the distance from point of origin to point of destination of any component part via the points of destination of all other component parts, plus an additional charge of \$33.40 for each stop to unload between point of origin and final point of destination.</p>	175
<p style="text-align: center;"><b>STORAGE IN TRANSIT (See Note 1)</b></p> <p>Shipments may be stored once in transit for a period not to exceed 60 days from the date of unloading at storage point. (See Note 2)</p> <p>Charges shall be computed on the following basis:</p> <p>(a) The applicable transportation rate from initial point of origin to point of storage, plus</p> <p>(b) The applicable transportation rate from point of storage to point of destination, plus</p> <p>(c) Warehouse handling and storage charge of \$1.55 per 100 pounds for each 30-day period or fraction thereof, subject to a minimum charge of \$7.50 for each 30-day period.</p> <p>NOTE 1.--On shipments subject to hourly rates both into and out of point of storage in transit the weight of the shipment for purposes of determining the storage-in-transit charge may be estimated by multiplying the total cubic feet of storage space occupied by the shipment on the warehouse platform or in the warehouse by 7 pounds per cubic foot.</p> <p>NOTE 2.--In the event a shipment remains in storage in excess of 60 days, the point of storage in transit shall be considered the point of destination and thereafter shall be subject to the rules, regulations and charges of the individual warehouseman. Charges for subsequent delivery shall be assessed on the basis of the charges applicable from point of storage to point of delivery.</p>	180
<p>Increase, Decision No. <span style="float: right;"><b>93519</b></span></p>	
<p>EFFECTIVE <b>9/26/81</b></p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                  SAN FRANCISCO, CALIFORNIA.</p>	

Correction

MINIMUM RATE TABLE 4-D

SECTION 3--RATES							ITEM	
DISTANCE RATES IN CENTS PER 100 POUNDS (1) (2) (3) (4)								
Rates named in this item apply only to shipments transported between points located within Region 1. (See Note)								
Miles		Any Quantity	Minimum Weight					
Over	But Not Over		1,000 Pounds	2,000 Pounds	5,000 Pounds	8,000 Pounds		
0	10	2270	1390	995	840	735		
10	20	2305	1430	1015	855	745		
20	30	2340	1450	1035	870	760		
30	40	2375	1470	1055	885	770		
40	50	2400	1495	1075	900	785		
50	60	2435	1515	1090	920	800		
60	70	2470	1530	1105	935	815		
70	80	2505	1555	1120	955	830		
80	90	2540	1580	1135	975	845		
90	100	2585	1605	1150	995	865		
100	120	2630	1625	1170	1015	890		
120	140	2680	1660	1195	1035	910		
140	160	2745	1700	1225	1065	940		
160	180	2815	1750	1255	1095	965		
180	200	2890	1800	1285	1130	995		
200	225	2990	1855	1320	1165	1030		
225	250	3090	1905	1355	1205	1070		
250	275	3170	1940	1395	1240	1105		
275	300	3245	1990	1430	1275	1145		
300	325	3305	2025	1460	1315	1175		
325	350	3360	2060	1490	1340	1210		
350	375	3410	2095	1520	1375	1245		
375	400	3460	2125	1555	1410	1285		
400	425	3500	2155	1585	1445	1310		
425	450	3535	2185	1615	1475	1340		
450	475	3560	2225	1645	1515	1385		
475	500	3605	2270	1680	1565	1415		
500	550	3655	2320	1725	1620	1465		
550	600	3715	2380	1790	1670	1525		
600	650	3775	2430	1850	1725	1595		
650	700	3825	2490	1900	1795	1640		
700	750	3885	2540	1950	1835	1685		
750	800	3935	2590	2000	1885	1730		
800	850	3985	2635	2050	1935	1775		
850	---		Add to rate for 850 miles 50 cents per 100 pounds for each 50 miles or fraction thereof in excess of 850 miles.					
(1) Minimum Charge--the charge for 100 pounds at the applicable rate. (2) See Item 70 for application of rates. (3) See Item 50 for computation of distances. (4) See item 220 for Region descriptions.								
NOTE.--Rates named in this item apply in connection with split pickup and split delivery shipments only when points of origin and points of destination of all component parts of such shipments are located within Region 1. Rates named in Item 320 shall apply to split pickup and split delivery shipments excluded from the provisions of this item.								
◇ Increase, except as noted, Decision No. <b>92519</b>								
EFFECTIVE <b>9/26/81</b>								
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.								
Correction								

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300

SECTION 3--RATES (Continued)							ITEM	
DISTANCE RATES IN CENTS PER 100 POUNDS (1) (2) (3) (4)								
Rates named in this item apply only to shipments transported between points located within Region 2; and between points located in Region 1, on the one hand, and points located in Region 2, on the other hand.								
Miles		Any Quantity	Minimum Weight				ITEM	
Over	But Not Over		1,000 Pounds	2,000 Pounds	5,000 Pounds	8,000 Pounds		
0	10	2270	1390	995	840	735		
10	20	2305	1430	1015	855	745		
20	30	2340	1450	1035	870	760		
30	40	2375	1470	1055	885	770		
40	50	2395	1490	1075	910	780		
50	60	2435	1520	1100	920	800		
60	70	2475	1540	1110	935	810		
70	80	2515	1565	1125	950	825		
80	90	2565	1600	1145	970	845		
90	100	2610	1635	1165	995	865		
100	120	2670	1675	1190	1020	885		
120	140	2735	1720	1220	1045	915		
140	160	2810	1760	1250	1090	945		
160	180	2910	1810	1290	1130	980		
180	200	3015	1865	1320	1165	1015		
200	225	3110	1950	1370	1205	1060	320	
225	250	3195	2005	1415	1240	1095		
250	275	3270	2050	1450	1285	1140		
275	300	3340	2095	1485	1325	1185		
300	325	3390	2140	1520	1360	1225		
325	350	3460	2185	1555	1385	1265		
350	375	3485	2205	1585	1430	1300		
375	400	3540	2245	1615	1475	1330		
400	425	3585	2275	1640	1505	1355		
425	450	3630	2300	1675	1535	1390		
450	475	3665	2325	1700	1560	1425		
475	500	3695	2365	1740	1590	1460		
500	550	3745	2410	1780	1630	1500		
550	600	3775	2450	1825	1695	1550		
600	650	3810	2485	1865	1755	1595		
650	700	3845	2510	1910	1810	1640		
700	750	3890	2540	1955	1845	1695		
750	800	3935	2590	2000	1885	1730		
800	850	3985	2635	2050	1935	1775		
850	---	Add to rate for 850 miles 50 cents per 100 pounds for each 50 miles or fraction thereof in excess of 850 miles.						
(1) Minimum Charge--the charge for 100 pounds at the applicable rate. (2) See Item 70 for application of rates. (3) See Item 50 for computation of distances. (4) See Item 220 for Region descriptions.								
Increase, except as noted, Decision No. <b>92519</b>								
EFFECTIVE <b>9/26/81</b>								
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.								
Correction								

MINIMUM RATE TABLE 4-2

SECTION 3--RATES (Continued)				ITEM
RATES IN CENTS PER HOUR (1) (2) (Applies for Distances of 50 Constructive Miles or Less)				
Unit of Equipment:	TERRITORY (3)			
	A	B	C	
(a) with driver-----	3100	2010	2550	330
(b) with driver and 1 helper-----	5730	4035	4515	
Additional helpers, per man-----	2055	1075	1280	
Minimum Charge--the charge for one hour.				
(1) See Item 70 for application of rates. (2) See Item 95 for computation of time. (3) See Item 210 for territorial descriptions.				
DISTANCE RATES IN CENTS PER PIECE (1) (2) (Applies to Shipments of Not More Than 5 Pieces for Distances of 50 Miles or Less)				
FIRST PIECE			Each Additional Piece	340
MILES (3)				
Not Over 10	Over 10 but Not Over 20	Over 20		
2055	3820	5335		
(1) See Item 70 for application of rates. (2) Rates in this item will not apply to split pickup or split delivery shipments, or storage in transit privileges. (3) See Item 50 for computation of distances.				
Increase, Decision No. <b>93519</b>				
EFFECTIVE <b>9/26/81</b>				
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.				
Correction				

MINIMUM RATE TARIFF 4-9

SECTION 3--RATES (Concluded)				ITEM
ACCESSORIAL RATES				
Rates in Cents per Man per Hour (1) (2) (3)				
			TERRITORY (4)	
			A	B
			C	350
Packing ) Unpacking )	-----	2680	1900	2110
Minimum Charge--the charge for one hour.				
(1) See Item 70 for application of rates. (2) See Item 95 for computation of time. (3) Rates do not include cost of materials. (See Item 360) (4) See Item 210 for description of territories.				
RATES AND CHARGES FOR PICKING UP OR DELIVERING SHIPPING CONTAINERS AND PACKING MATERIALS				
1. In the event new or used shipping containers, including wardrobes, are delivered by the carrier, its agent, or employees, prior to the time shipment is tendered for transportation, or such containers are picked up by the carrier, its agents or employees subsequent to the time delivery is accomplished, the following transportation charges shall be assessed: (See Note 1)				
		In Cents		
Each container, set up-----		335		
Each bundle of containers, folded flat--		335		
Minimum charge, per delivery-----		1630		
2. (a) Shipping containers, including wardrobes (See Note 2) and packing materials which are furnished by the carrier at the request of the shipper, will be charged for at not less than the actual original cost to the carrier of such materials, F.O.B. carrier's place of business.				360
(b) In the event such packing materials and shipping containers are returned to any carrier participating in the transportation thereof when loaded, an allowance may be made to the consignee or his agent of not to exceed 75 percent of the charges assessed under the provisions of paragraph 2(a).				
NOTE 1.--If the hourly rates named in Item 330 provide a lower charge than the charge in paragraph 1 of this item, such lower charge shall apply.				
NOTE 2.--No charge will be assessed for wardrobes on shipments transported at the rates provided in Item 330.				
◇ Increase, Decision No. <b>93519</b>				
EFFECTIVE <b>9/26/81</b>				
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.				
Correction				