

**GENERAL ORDER NO. 80-C**  
**(Supersedes General Order No. 80-B)**

**PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA**

**RULES GOVERNING THE CONSTRUCTION AND FILING OF TARIFFS BY  
HIGHWAY COMMON CARRIERS, FREIGHT FORWARDERS, EXPRESS COR-  
PORATIONS, AND SCHEDULES FILED BY CERTAIN HIGHWAY CONTRACT  
CARRIERS**

**Adopted February 7, 1990. Effective March 15, 1990.**  
**Decision 89-10-039, as modified by**  
**Decision 90-02-021 in I.88-08-046.**

**RULE A APPLICATION AND SCOPE**

- A.1 This General Order governs the construction and filing of:
- a. Tariffs by highway common carriers, freight forwarders and express corporations; and
  - b. Schedules by highway contract carriers for transportation subject to General Order 147 Series.
- A.2 Tariffs and contract rate schedules, filed on or after the effective date of this General Order shall be constructed and filed in conformity with the rules herein established.
- A.3 Tariffs filed prior to the effective date of this General Order need not be reissued because of the issuance of this General Order. Supplements, amendments or revised pages filed on or after the effective date of this General Order, however, shall be constructed and filed in conformity with the rules herein established.

**RULE 1 DEFINITIONS**

“Carrier” means a highway common carrier, a highway contract carrier, a freight forwarder, or an express corporation.

“Common carrier” means a common carrier subject to this general order.

“Contract carrier” means a highway contract carrier subject to this general order.

“Contract Rate Schedule” (schedule) means the publication of a highway contract carrier which includes the rates, routes, distances, classifications, etc., including supplements, amendments or revised pages, or reissues, and which is on file with the Commission.

“Governing Publication(s)” means those publications which govern the application of a common carrier tariff or contract carrier rate schedule. Each governing publication shall be on file and authorized for use for the concerned carrier by this Commission. Examples of such publications are:

Distance Table 8 and/or the Optional All Points to All Points Table for Distance Table 8 issued by the Commission, and amendments or reissues thereto;

Hazardous Materials Tariff ATA, 111-G (Cal. PUC 17 of American Trucking Association, Inc., Agent), including supplements and reissues;

National Motor Freight Classification NMF 100-M (CAL. PUC 24 of National Motor Freight Traffic Association, Inc., Agent), including supplements and reissues (also referred to as the "Governing Classification").

"Rate bureau" means each conference, bureau, committee or other organization approved by the Commission under Public Utilities Code (Code) Section 496 and authorized to engage in collective ratemaking.

"Tariff" means the publication of a highway common carrier, freight forwarder or express corporation containing rates and rules, operating rights, routes, distances, classifications, etc., including supplements, amendments or revised pages, or reissues, and which is on file with the Commission.

"Tariff or Contract Rate Schedule Publishing Agent" means an individual or corporation authorized by a common carrier, freight forwarder or express corporation to publish tariffs on its behalf or a contract carrier to publish schedules on its behalf.

#### RULE 2 EXCEPTIONS

The provisions of this General Order do not apply to transportation by independent contractor subhaulers when such transportation is performed for other carriers. However, when there is a unity of ownership, management or control between the principal carrier and the consignor, consignee or debtor, subhaulers engaged by a principal carrier shall be paid 100% of the rate of the prime carrier.

#### RULE 3 REFERENCE TO PUBLIC UTILITIES CODE PROVISIONS

- 3.1 Unless the Commission otherwise orders, or provisions of another General Order (for example, General Order 147 Series) apply, a rule or rate in a tariff or contract rate schedule shall not go into effect on less than 30 days' notice.
- 3.2 The carrier shall observe all pertinent sections of the Code. This General Order's requirements are in addition to and supplementary to those Code provisions regarding the preparation, construction and filing of tariffs shown in the Code.
- 3.3 General Order 147 Series and the Commission's Rules of Practice and Procedure are applicable to the filing of formal applications for rate and tariff changes before the Commission.

#### RULE 4 FILING

Filing—Tariffs and schedules shall be filed with the Commission in duplicate in one package, and shall be delivered or addressed to:

California Public Utilities Commission  
Tariff File Room - 2nd Floor  
505 Van Ness Avenue  
San Francisco, California 94102

A receipt can only be obtained by enclosing a duplicate of the carrier's letter of transmittal with the request for a receipt which will then be stamped and returned as a receipt. A stamped, self-addressed envelope shall be included.

#### RULE 5 AUTHORITY AND RESPONSIBILITY

5.1 Authority—All tariffs, schedules, and their amendments and supplements, including any rate item changes, shall cite the authority from the Commission for their publication, except as otherwise provided below.

A contract carrier may file a rate schedule that contains rates some of which, or all, are not referenced in any contract. These rates will be accepted only if the contract rate schedule includes the following statement:

“Rates in this contract rate schedule apply only when they are specifically referenced in a contract which (carrier's name) has filed with the Commission.”

The contract rate schedule shall clearly indicate which rates in the schedule are referenced in a contract the carrier has filed with the Commission.

5.2 Responsibility—It shall be the responsibility of the carrier to maintain tariffs and schedules at all times in a current condition.

#### RULE 6 FORM OF TARIFFS AND SCHEDULES

6.1 Form—Tariffs and schedules shall be filed in book (pamphlet) or loose-leaf form. Tariffs and schedules shall be plainly printed, mimeographed, typewritten or reproduced by other durable process on paper of good quality. Dot matrix printed pages shall be of sufficient contrast to be easily readable and readily reproducible by ordinary commercially marketed copy machines.

6.2 Permissive Alternative—Rules 6.1, 6.5(b) and (c), 6.6(b), (c) and (d), 6.7(a), (b), (c), and (d), 6.8, 7.1, 7.2, 7.3 and 7.4 may be waived only on tariffs which contain both interstate and California intrastate rates. Such publications may be prepared in conformity with the regulations of the Interstate Commerce Commission in Title 49 Code of Federal Regulations Part 1312, providing orders of this Commission are complied with.

- 6.3 Size—Tariffs and schedules shall be not less than 8 by 10-1/2 inches nor more than 8-1/2 by 11 inches in size.
- 6.4 California P.U.C. Number—Each carrier shall file tariffs and schedules under its own consecutive numbers beginning with CA.P.U.C. No. 1 for its tariffs and CA.P.U.C. No. 1 for its schedules. An agent shall file under its own series of CA.P.U.C. numbers beginning with CA.P.U.C. No. 1 for its tariffs and CA.P.U.C. No. 1 for its schedules. Separate tariffs or schedules shall bear separate CA.P.U.C. numbers. The assigned CA.P.U.C. number in the series of the carrier, bureau, or agent initially issuing the tariff or schedule shall be retained throughout the life of each type of publication.
- 6.5 Title Page—The title page of each tariff or schedule shall show:
- (a) The CA.P.U.C. number of the tariff in either the upper left-hand corner or upper right-hand corner and immediately thereunder the CA.P.U.C. number of any tariffs or schedules canceled thereby.
  - (b) The name of the issuing carrier, bureau or agent, and the name and address of the issuing officer or agent.
  - (c) A statement indicating the kind of tariff, i.e., whether it is a tariff of rates, classifications, distances, scope of operations, etc.
  - (d) A carrier's individual tariff or schedule shall show its CA. "T" No., as well as any designated identification contained in the National Motor Freight Association's "Directory of Standard Multi-Modal Carrier and Tariff Agents Codes."
  - (e) The date on which the tariff or schedule will become effective in the lower right-hand corner.
- 6.6 Loose-Leaf Tariff or Schedule—Each page or supplement of a loose-leaf tariff or schedule shall show:
- (a) The assigned CA.P.U.C. number of the tariff or schedule in either the upper left-hand corner or the upper right-hand corner.
  - (b) The name of the issuing carrier, bureau, or agent; and the name and address of the issuing officer or agent.
  - (c) The page number; e.g., "Original Page 1," "Original Page 2," "Third Revised Page 3," etc.
  - (d) The date on which the page will become effective (or appropriate reference thereto), in the lower right-hand corner.
  - (e) On an original tariff or schedule which has not yet been accepted for filing by the Commission staff the effective date need only be shown on the Original or Revised Title Page. Each subsequent Original Page which is submitted as part of the original filing shall show reference to the Title Page for the effective date of the tariff.

6.7 Contents of Tariff or Schedule—A Schedule shall contain only those provisions shown in Rules 6.7(a), (c), (d), and (g). A tariff shall contain all of the following:

- (a) A Table of Contents.
- (b) The name of each participating carrier when a bureau or agency tariff is involved.
- (c) Reference to other publications which govern the application of the tariff or schedule, such as: classification, distance table, and scope of operations.
- (d) An alphabetically arranged index of all articles or generic groupings upon which commodity rates are named or ratings provided with reference to the items or pages where rates or ratings are placed.
- (e) Tariffs naming rates or distances shall contain a complete description of each carrier's certificated operative rights. Governing scope of operations which are properly cross-referenced to the other tariffs of the carrier in accordance with Rule 6.7 (h) will satisfy this requirement.
- (f) When routes are required for purposes of rates or charges, the routes or named points shall be clearly described and defined in the tariff. Point-to-point rates shall show the route or named points over which intermediate application is available or cite the authority granting relief from Code Sections 460 and 461.5.
- (g) Each tariff or schedule shall have the following rule in its entirety:

“Whenever a class rate and a commodity rate are named between specified points, the lower of such rates is the lawful rate.”

“In the event two or more rates, including applicable discounts, are named in a tariff, tariffs, or schedules of the carrier for the same transportation, the lowest shall apply.”

In the event that a combination of rates makes a lower aggregate through rate than a single rate, the lower combination shall apply. The carrier shall immediately publish the lower combination rate.
- (h) Except for governing publications such as a Distance Table, Classification, or Hazardous Materials Tariff, all tariffs which a carrier issues or in which it participates or concurs shall be cross-referenced. Carriers may use a named governing tariff such as a scope of operations tariff for listing all of their filed tariffs. All bureaus, agencies and individuals shall cross-reference those tariffs of related application which the carrier has on file with the Commission.

6.8 Amendments—

- (a) Book (pamphlet) tariffs shall be amended by filing supplements constructed generally in the same manner and

arranged in the same order as the tariff being amended, and referring to the page, item, or index of the tariff or previous supplement which it amends.

- (b) Loose-leaf tariffs or schedules shall be amended by filing new pages on which changes are made as consecutively numbered revisions of the previous pages, e.g., "First Revised Page 10 cancels Original Page 10." A loose-leaf tariff may be cancelled by supplement.
- (c) Uniform symbols shall be used to indicate changes as follows:
  - Letter (A), (a), or < > to indicate increases.
  - Letter (R), (r), or ▾ to indicate reductions.
  - Letter (C), (c), or ▲ to indicate a change resulting in neither increase nor reduction.
- (d) The following symbols shall be used only for the purposes indicated:
  - \* to show new material added to the tariff.
  - + to show "Applicable to intrastate traffic only."
  - ⊙ to indicate "Applicable to interstate traffic only."
  - [ ] to indicate reissued matter.
  - to indicate no change, as provided in Rule 6.8(e).
- (e) When changes of the same character are made in all or substantially all rates in a tariff, schedule, supplement or loose-leaf page, that fact and nature of the change may be indicated on the title page, supplement, or the top of a loose-leaf page of the tariff or schedule. In this event, the symbol "●" shall be used to indicate a rate to which no change has been made. Any other change not indicated in the general statement shall bear the appropriate symbol(s) in Rule 6.8(c) or (d).

## RULE 7 ADOPTION OF TARIFFS

- 7.1 Adoption Notice—When operative rights of either a common or contract carrier are transferred from the operating control of one company to that of another, the succeeding carrier shall issue an adoption notice in the form of a one-page document, 8-½ by 11 inches in size, in which the successor company accepts and establishes as its own all the affected tariffs, schedules, and other instruments issued by or on behalf of the predecessor company in accordance with the Commission order authorizing the transfer of the operative rights. Three copies of the adoption notice shall be filed with the Commission.
- 7.2 Copies to Agents and Carriers—Concurrently with the filing of an adoption notice with the Commission, a copy of the adoption notice shall be furnished to each agent and each carrier publishing tariffs or schedules containing rates or other provisions in which the predecessor carrier participates.

- 7.3 **Supplements**—In addition to the adoption notice required by Rule 7.1, the successor carrier shall supplement or reissue each tariff or schedule by the predecessor company indicating that the tariff or schedule has been adopted by the successor company, such filing to be made in accordance with Commission orders authorizing the transfer.
- 7.4 **Change of Name**—When a carrier changes its legal or fictitious name, without transfer of control from one company to another, it shall immediately amend tariffs or schedules issued by it to show the new name of the company. The carrier shall also immediately inform, in writing, all agents or other carriers issuing tariffs in which it participates of the change in name, and such agents or carriers shall promptly amend such tariffs to show the change in name. The tariff or schedule amendments shall show the new name of the carrier and its former name, for example: “ABC Transportation Co. (formerly XYZ Trucking Co.),” and shall show that they are filed under authority of this rule.

#### **RULE 8 POWERS OF ATTORNEY AND CONCURRENCES**

- 8.1 **Issuance.**
- (a) Each carrier shall issue a power of attorney to each agent publishing an agency tariff in which the carrier participates.
  - (b) Each carrier shall issue a concurrence to each other carrier which publishes a tariff in which the former carrier participates.
- 8.2 **Filing**—Powers of attorney, concurrences, and revocations of powers of attorney and concurrences shall be made available upon request from the Commission or its staff.
- 8.3 **Revocation by Carrier**—Powers of attorney and concurrences may be revoked by the carrier by furnishing to the tariff publishing agent a revocation notice specifying the effective date of such revocation. The notice shall be sent by certified or registered mail at least 60 days before the effective date of revocation.

#### **RULE 9 REVOCATION OF CARRIER PARTICIPATION BY TARIFF AGENT**

- 9.1 **Procedure**—A carrier’s participation in any agency tariff may be cancelled by the tariff agent issuing such tariff without the request or consent of the carrier, providing the procedures specified in Rule 9 are followed precisely.
- 9.2 **Prior Notice**—Tariff publishing agents proposing to terminate their agency relationship with any carrier, and to cancel the carrier’s participation in any agency tariff, shall give notice in writing to the carrier and to the Commission not less than 90

days before the proposed date of termination and cancellation. The Cancellation Notice shall be in the form provided in Rule 9.5.

- 9.3 Tariff Filing—Unless the Cancellation Notice is rescinded as provided in Rule 9.4, the cancellation of the carrier’s participation in the agency tariff shall be made effective on the precise effective date specified in the Cancellation Notice, by an appropriate tariff amendment filed with the Commission not less than 30 days prior to said effective date.
- 9.4 Rescission of Notice—If the tariff publishing agent desires to rescind the Cancellation Notice, the agent shall give notice in writing to the carrier and to the Commission not less than 30 days prior to the scheduled date of termination and cancellation of the agency relationship. The Rescission of Cancellation Notice shall be in the form provided in Rule 9.6.
- 9.5 Form of Cancellation Notice—The Cancellation Notice specified in Rule 9.2 shall be on paper 8½ by 11 inches in size, and shall be in a form substantially as follows:

CANCELLATION NOTICE

To \_\_\_\_\_  
(Name of Carrier)

Date of Notice \_\_\_\_\_

You are hereby notified that the agency created by the Power of Attorney issued by you to the undersigned is terminated on the effective date shown below.

Your participation in tariff(s) issued by the undersigned, as identified below, will be cancelled on the effective date shown.

You are cautioned that cancellation of your participation in such tariffs will leave you without rates on file with the California Public Utilities Commission. It is your responsibility to arrange for the filing with the California Public Utilities Commission of tariffs required by Section 486 of the California Public Utilities Code.

Name and Cal. P.U.C. Numbers of Tariffs:

\_\_\_\_\_

Effective Date of Termination of Agency and Cancellation of Rates \_\_\_\_\_\*

\* The agent shall not insert a date less than 90 days after the date the Notice is received by the Commission.

By \_\_\_\_\_  
(Tariff Agent)



Instructions: This Notice shall be furnished by the agent to the carrier by registered mail at least 90 days before the effective date of termination and cancellation. A true copy of this Notice shall be filed with the Public Utilities Commission of the State of California, Truck Tariff Section—2nd Floor, 505 Van Ness Avenue, San Francisco, California 94102, at least 90 days before said effective date.

9.6 Form of Rescission of Cancellation Notice—The Rescission of Cancellation Notice specified in Rule 9.4 shall be on paper 8½ by 11 inches in size, and shall be in a form substantially as follows:

To \_\_\_\_\_  
(Name of Carrier) (Date)

The Cancellation Notice issued to you by the undersigned on \_\_\_\_\_ to terminate the agency created by the Power of Attorney issued by you to the undersigned, is hereby rescinded.

Your participation in tariff(s) issued by the undersigned, as identified below, will not be canceled.  
Name and Cal. P.U.C. Numbers of Tariffs.

\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_  
(Tariff Agent)

Instructions: This Rescission shall be furnished to the carrier by the Tariff Agent by registered mail at least 30 days before the effective date of the scheduled termination and cancellation stated in the "Cancellation Notice" which it rescinds. A true copy of this Rescission shall be filed with the Public Utilities Commission of the State of California, Tariff File Room—2nd Floor, 505 Van Ness Avenue, San Francisco, California 94102, at least 30 days before said effective date.

Approved and dated February 7, 1990, to become effective March 15, 1990, at San Francisco, California.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA

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