

PROGRAM NO. 4—SUPERVISION AND INTERPRETATION OF TARIFFS

(a) The statutory authority for this program is the Interstate Commerce Act and related acts (49 USC sec. 1, et seq.) and the Commission's regulations (49 CFR 1000, et seq.).

(b) The principal functions covered by this program are (1) to receive, examine, criticize, and file tariffs, schedules, contracts, section 22 quotations or tenders, for the transportation of passengers and property filed by carriers, and concurrences and powers of attorney filed by all carriers; (2) to secure compliance with the Interstate Commerce Act and rules of the Commission governing construction, filing, and posting of tariffs and schedules; (3) to review and dispose of applications for released rates authority filed under the provisions of section 20(11), and applications for special permission to establish rates, fares, and charges on less than statutory (30 days) notice or to depart from the Commission's rules governing the construction or filing of tariffs and schedules; (4) to check and prepare rate statements from tariffs and schedules for use of the Commission and its staff; (5) to handle informal complaints of shippers, passengers, and others, such as those seeking damages on account of misrouting, exaction of unjust or unreasonable charges, and claims for recovery of charges alleged to have been collected by carriers in excess of those legally applicable; and (6) to process applications submitted by carriers requesting authority to make reparations on past shipments.

It also maintains a public tariff file where all tariffs, section 22 quotations or tenders and contracts between freight forwarders and motor carriers are available for inspection by the public.

This program is operated totally in the public interest. The filing of rates and charges with the Commission is the very foundation for the legality of interstate surface transportation charges. The philosophies of reasonable and adequate service and the publication of exact charges for transport services are close to the heart of the regulatory process. Equality of treatment and protection from unfair or destructive competitive practices, unjust discrimination, and undue preferences or advantages for others are effected by this program.

(c) Mr. Edward H. Cox, Director of the Bureau of Traffic, has direct responsibility over this program.

Mr. Cox. This activity has to do with the supervision and interpretation of tariffs. Practically all of our activity is required by the statute itself.

The principal functions that are received, examined, criticized and filed are tariff publications, section 22 quotations, contracts between shippers and contract carriers and between freight forwarders and motor carriers. In other words, to police those requirements of the act which deal with the preparation, filing and interpretation of tariffs.

We also receive and process applications which are filed under section 20(11) of the act wherein the carriers seek authority to establish rates on a released evaluation basis; also application for special permission authority to establish rates, fares, and charges on less than statutory notice, and for waiver of the Commission's tariff rules in certain circumstances.

We also check and prepare rate statements for the Commission in connection with its work, particularly formal cases. We process and attempt to settle controversies between shippers and carriers on an informal basis regarding complaints that they might have about rates, service, the interpretation of tariffs and things of that kind.

We also process and dispose of applications to award reparations in certain types of cases where the applicable rates under the law have been applied but the carriers are prohibited from refunding any part of those, and where the carrier which has admitted that the rate applied is unjust or unlawful in some other respect has been willing to reduce the rate and then come to the Commission for authority to make