

Decision No. 14467

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
 DRAYAGE SERVICE CORPORATION, a cor- )  
 poration, H. L. HINMAN, an individual :  
 doing business under the fictitious )  
 name of MERCHANTS EXPRESS AND DRAYING )  
 COMPANY, H. L. HINMAN, an individual :  
 doing business under the fictitious name :  
 of OAKLAND PARCEL DELIVERY COMPANY, )  
 WILLIAM BOLT, an individual doing )  
 business under the fictitious name of )  
 KELLOGG'S EXPRESS COMPANY, R. H. PAS- :  
 MUSSEN and J. C. SVANE, a co-partnership )  
 doing business under the fictitious name )  
 of SANTA FE EXPRESS AND DRAYAGE COMPANY, :  
 and A. C. WOODARD, an individual doing :  
 business under the fictitious name of )  
 OAKLAND-SAN JOSE TRANSPORTATION COMPANY, )  
 for a certificate of public convenience :  
 and necessity to establish through routes :  
 and joint freight rates between San Francisco )  
 on the one hand and San Leandro, Wayne and )  
 points between on the other hand, and bet- :  
 ween, San Francisco on the one hand and :  
 Sunol, Livermore and points between on the )  
 other hand. )

Application  
No. 10036.

Gwyn H. Baker for Applicants

L. N. Bradshaw for Southern Pacific Co.,  
Protestant.

W. G. Lickteig for American Railway Express,  
Protestant.

SEAVEY, Commissioner:

O P I N I O N

In the above entitled application Drayage Service Corporation, a corporation, H. L. Hinman, doing business under the fictitious name of Merchants Express and Drayage Company, H. L. Hinman, doing business under the fictitious name of Oakland Parcel Delivery Company, William Bolt, doing business

under the fictitious name of Kellogg's Express Company, R. H. Rasmussen and J. C. Svane, a co-partnership doing business under the fictitious name of Santa Fe Express and Drayage Company, have filed a joint application with A.C. Woodard, doing business under the fictitious name of Oakland-San Jose Transportation Company in which they petition the Railroad Commission for an order authorizing the establishment of through route and joint rates for the transportation of freight between San Francisco on the one hand and San Leandro and Wayne and intermediate points on the other; also between San Francisco on the one hand and Sunol and Livermore on the other.

A public hearing in the above entitled application was held, evidence introduced and the matter submitted and it is now ready for decision.

Applicants called some four witnesses in support of their allegation that a public necessity existed for the establishment of joint rates between truck line operated by A. C. Woodard between Oakland and San Jose and San Jose and Livermore and the truck lines of the remaining applicants operating between San Francisco and East Bay points.

All applicants except Woodard operate a number of trucks picking up shipments in the City of San Francisco and transferring them to Oakland. It is proposed by these applicants to pick up shipments from business houses located in the City of San Francisco when such shipments are destined to points south of San Leandro to and including Wayne and including Livermore and deliver such shipments to the depot of Woodard in Oakland for transportation to the destination. The rates to be charged are as more fully set forth in Exhibit "A" accompanying the application herein.

The granting of this application was protested by the

Southern Pacific Company and the American Railway Express Company.

Under Decision No. 13321 in Application No. 7987 dated March 25, 1924, Woodard and Hinman were authorized to establish joint rates between San Francisco and points south of Oakland to and including Irvington. The present application is in effect to establish such joint rates for the applicants in addition to Hinman and to extend the territory from Irvington to Wayne and also to include Livermore and Sunol.

The four witnesses called by applicant consisted of representatives of wholesale houses in the City of San Francisco and one merchant located in Niles Canyon, all of whom testified in effect that they had shipments in small quantities moving principally from San Francisco to retail stores in the territory affected by the proposed joint rates and that it would be a material convenience to them if such joint rates were put in effect.

The existing rate of Woodard, Oakland to Irvington ranges from 50¢ to 25¢, being 1st to 4th class, which rate includes pick up and delivery and from 35¢ to 18¢ 1st to 4th class which provides only terminal to terminal service. From Oakland to Wayne the Woodard rate ranges from 63¢ to 30¢ 1st to 4th class for pick up and delivery service and 55¢ to 25¢ 1st to 4th class for terminal service only. The transbay rate varies in accordance with the weight of the commodity shipped. As it would appear in the main that all of the shipments moving under the proposed service would be in less than lots of one ton, the transbay rate would range from 40¢ to 27¢ 1st to 4th class from points in San Francisco included in Zone 1 and 45¢ to 31¢ 1st to 4th class from points in San Francisco in Zone 2 to the terminal of Woodard in the City of Oakland.

As the shipments would be delivered to the terminal of Woodard in Oakland his first class rate taken in conjunction with the first class rate of the transbay carriers from Zone 1 would total 75¢ to Irvington as against a through rate of 51¢ as proposed. The present combination of locals to points south of Irvington to and including Wayne would total 96¢ as against a proposed through rate of 76¢ or a differential of 24¢ to the Irvington break and the differential of 20¢ to points south of Irvington to and including Wayne. Naturally such a differential in a proposed through route as compared with the present combination of locals would be of very material advantage to San Francisco wholesale houses in their shipments to retail stores in the territory affected by this application.

I submit the following form of order.

O R D E R

Public hearing having been held in the above entitled proceeding, evidence introduced and the Commission being fully advised,

IT IS HEREBY ORDERED that the above entitled application be and the same hereby is granted, subject to the following conditions:

1. The granting of this application in no way authorizes the establishment by applicant A.C. Woodard of a through truck service Oakland-Livermore.

2. Applicant shall file within a period of not to exceed ten (10) days from date hereof tariff of rates in accordance with Exhibit "A" attached to the application herein.

Dated at San Francisco, California, this 17<sup>th</sup> day of January, 1925.

C. Seavey  
H. B. Brundage  
Egerton Shaw  
George D. Squier

COMMISSIONERS