

ORIGINAL

Decision No. 1308

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application :
of F. W. GOMPE, agent, acting for :
Tonopah & Tidewater Railroad Com- :
pany, for authority to increase : Application No. 868.
the minimum charge for storage of :
less than carload shipments to 25 :
cents. :

In the matter of the application :
of THE ATCHISON, TOPEKA AND SANTA :
FE RAILWAY COMPANY, Coast Lines, : Application No. 869.
for similar authority. :

In the matter of the application :
of NORTHWESTERN PACIFIC RAILROAD :
COMPANY, SAN PEDRO, LOS ANGELES :
& SALT LAKE RAILROAD COMPANY, : Application No. 930.
SOUTHERN PACIFIC COMPANY, and :
WESTERN PACIFIC RAILWAY COMPANY, :
for similar authority. :

George D. Squires, representing Applicants;
William R. Wheeler, for Intervenor.

LOVELAND, Commissioner.

OPINION

In as much as these applications involved the same state-
ment of facts and prayed for the same authority to increase the
minimum charge, by agreement of all parties they were heard at one
and the same time, the testimony submitted applying alike to each
application.

The present rules provide the following charges:-

Consignments of 100 pounds or less, one (1)
cent per day. Minimum charge five (5) cents.

Consignments of over 100 pounds and not over
500 pounds, two (2) cents per day. Minimum
charge ten (10) cents.

Consignments of over 500 pounds and not over
1,000 pounds, three (3) cents per day. Mini-
mum charge fifteen (15) cents.

Consignments of 1,000 pounds and not over 1,600 pounds, four (4) cents per day. Minimum charge twenty (20) cents.

Consignments of over 1,600 pounds and not over 2,000 pounds, five (5) cents per day. Minimum charge twenty-five (25) cents.

Consignments of over 2,000 pounds, five (5) cents per ton per day. Minimum charge twenty-five (25) cents.

Authority is asked under these applications to amend these rules so as to read as follows:-

Consignments of 100 pounds or less, one (1) cent per day. Minimum charge twenty-five (25) cents.

Consignments of over 100 pounds and not over 500 pounds, two (2) cents per day. Minimum charge twenty-five (25) cents.

Consignments of over 500 pounds and not over 1,000 pounds, three (3) cents per day. Minimum charge twenty-five (25) cents.

Consignments of 1,000 pounds and not over 1,600 pounds, four (4) cents per day. Minimum charge twenty-five (25) cents.

Consignments of over 1,600 pounds and not over 2,000 pounds, five (5) cents per day. Minimum charge twenty-five (25) cents.

Consignments of over 2,000 pounds, five (5) cents per ton per day. Minimum charge twenty-five (25) cents.

At the hearing, the San Francisco Chamber of Commerce Traffic Bureau intervened in opposition to the granting of these applications.

Witnesses for applicants, in support of the applications, testified that the present charges do not cover cost of clerical accounting of the bills and the extra labor and extra warehouse space required, and also do not provide reasonable compensation for the risk while goods are in storage.

It is also claimed in the applications and supported by

the testimony of witnesses for applicants, that the charges proposed in the new schedule now prayed for will promote prompt removal of freight, thus giving access to space that should be available for the transaction of current business.

Witnesses for applicants further testified that the carriers did not regard amounts paid for storage beyond free time as desirable when considered as income and would much prefer not to have to collect anything under the rules.

Intervenor sought to show that the responsibility for leaving merchandise in freight sheds beyond the free time allowed by the tariffs was principally due to inadvertance and somewhat also to the desire, upon the part of draymen, to avoid special trips for small shipments. But even if we grant that this is true, I find no justification in such reasons for breaking a reasonable rule.

It is my opinion that freight sheds should be regarded as facilities for transportation and not for warehouse purposes. Forty-eight hours free time are given in which to remove L. C. L. shipments from the freight sheds and such rules should be permitted as will promote the removal of such L. C. L. shipments received at the freight sheds within that time.

Witnesses for applicants claimed that such would be the effect of the rule now asked for. I am inclined to think that the rule would have that effect and, in view of the free time allowed, and the fact that congestion and extra handling of merchandise in freight sheds should be avoided by the removal of merchandise within the free time, I shall recommend that the applications be granted, with the proviso, however, that each of the railroad companies represented in these applications shall file with the Commission a statement, by the month, showing the amount collected on L. C. L. shipments which have remained in their freight sheds beyond the

limit of the free time for the last six months of 1913 and a similar statement for six months in 1914, beginning March 16, 1914, such reports to be for amounts collected at applicants' San Francisco offices only, as these are considered fairly representative.

At the expiration of the latter term, to-wit: on or after September 15, 1914, any of the parties to these applications may ask the Commission to consider whether this Order has resulted in the more prompt removal of L. C. L. shipments from freight sheds of applicants, or the Commission may make such investigation and further Order as is deemed necessary in the premises.

I recommend the following Order:-

ORDER

WHEREAS, F. W. Gomph, agent, acting for Tonopah & Tidewater Railroad Company, and The Atchison, Topeka and Santa Fe Railway Company, Coast Lines, Northwestern Pacific Railroad Company, San Pedro, Los Angeles & Salt Lake Railroad Company, Southern Pacific Company and Western Pacific Railway Company, have applied to this Commission for permission to increase the minimum storage charge on L. C. L. shipments held in applicants' freight sheds beyond the free time allowed by the tariffs, as set forth in the Opinion preceding this Order;

And the Commission believing that the application of the rules prayed for will make for greater convenience in the shipping and handling of L. C. L. merchandise;

IT IS HEREBY ORDERED: That applicants herein be and they are hereby granted authority to put into effect the new rules, as prayed for in their applications and as set forth in the Opinion preceding this Order, for the period of six months from March 16, 1914, at which time, or as soon as may be thereafter, the Commission, upon its own initiative or at the request of anyone, party to these applications, will make such further investigation and order as may

be found necessary.

IT IS FURTHER ORDERED: That the railroads, parties to these applications, at once file with the Commission a statement showing the receipts, by the month, for the last six months of 1913, arising from charges for storage on L. C. L. shipments, at their San Francisco offices, and that, as soon as convenient after September 15, 1914, applicants also file similar statements showing receipts, by the month, from March 16, 1914 to September 15, 1914, for similar charges for the same offices.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 27th
day of February, 1914.

John W. Eschler
W. H. Loveland
W. E. Gordon
Max Thelen
Erwin C. Edgerston
Commissioners.