

Decision No. 29638

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of)
rates, rules, classifications and regu-)
lations for the transportation of prop-)
erty, exclusive of property transported) Case No. 4084
in dump trucks, for compensation or)
hire over the public highways of the)
City and County of San Francisco.)

ORIGINAL

ADDITIONAL APPEARANCES

E. M. Berol, for American Stevedoring Company
Edward Stern, for Railway Express Agency, Inc.

DEVLIN, Commissioner:

FIFTH SUPPLEMENTAL OPINION

By previous orders in this proceeding, the Commission established rates, rules, and regulations for the transportation of property within the limits of the City and County of San Francisco. ¹ At a public hearing had in San Francisco March 19, 1937, for the purpose of considering what if any modifications of outstanding orders had become necessary, the Draymen's Association of San Francisco, hereinafter referred to as the Association, proposed changes in the ratings on paper and tile and in the rule governing the marking of packages. No other modifications were ² suggested.

¹ The rates, rules and regulations now in effect were established by Decision No. 28632 of March 16, 1936 (39 C.R.C. 636), Decision No. 28731 of April 20, 1936 (39 C.R.C. 682), Decision No. 28753 of April 20, 1936 (unreported) and Decision No. 29277 of November 16, 1936 (unreported). Others were established in Decision No. 29595 of March 15, 1937 to become effective April 15, 1937.

² The American Stevedoring Company requested additional time within which to make a study regarding the transportation of lumber by so-called "Ross carriers." It was not prepared at this time to state to what extent the decision should be modified with respect to this transportation.

There are now in effect a third class rating for the transportation of "Paper, in cases, rolls or bundles, or skids, NOS", a fifth class rating for "Paper, Newsprint, in rolls 24 inches or greater in diameter", and a fourth class rating for "Paper, Newsprint, NOS." A witness for the Association testified that when these items were originally proposed, the entry "Paper, Newsprint, NOS" was intended to cover newsprint in rolls less than 24 inches in diameter and to exclude this commodity when in bundles, cases or on skids. A lower rating on newsprint in rolls than in other forms of shipment is said to be justified by differences in density and in ease of handling. Moreover, the use of the term "N.O.S." (not otherwise specified in this tariff) in the two entries is said to be confusing.

There is also in effect a fifth class rating for the transportation of "Tile, loose or in packages." The word "Tile" being unqualified, this rating applies on tile of any description, including glazed, mosaic and other tile of high value. It is represented that because of its value and more fragile nature such tile is subject to much greater damage than ordinary building or hollow tile for the transportation of which the fifth class rating is said to have been intended. The Commission is requested to restrict the present fifth class rating to "Tile, Clay, not glazed, enameled or decorated, loose or in packages" and to provide a third class rating for other kinds of tile. Hollow building tile was originally rated first class when loose and third class when in bundles, boxes or crates. Upon a showing made at a previous hearing, the Commission authorized the elimination of the entry "Tile, Hollow, Building, loose 1" and "Tile, Hollow, Building, Bbls., boxes or crates 3." and the addition of the entry "Tile, loose or in packages 5." While this

resulted in establishing a rate for the transportation of hollow building tile which the record showed to be necessary, it failed to distinguish between hollow building tile and the more valuable types of this commodity.

The rule covering the marking of packages reads "The rate per package for marking will be:

2 line stencil or mark. ½¢, minimum 10¢.

3 lines or more. 1¢, minimum 25¢."

It is represented that it is frequently necessary to use a number of stencils in marking a small lot of packages and that the charges provided should, because of the additional service involved, be dependent upon the number of stencils used as well as upon the number of packages marked.

No one appeared at this hearing on behalf of shippers.

The proposals made by the Association were not opposed.

Upon careful consideration of all of the facts of record I am of the opinion and find that the changes and modifications sought are justified.

I recommend the following form of order:

O R D E R

A public hearing having been held in the above entitled proceeding,

IT IS HEREBY ORDERED that Exhibit "A" of Decision No. 28632, dated March 16, 1936, in the above entitled proceeding, and as amended, be and it is hereby further amended as follows:

Add to Rule 70 appearing on Page 9 of the exhibit the following:

"Where more than one stencil is used, the minima shall apply to each stencil used."

Change the entry "Paper, Newsprint NOS" appearing on Page 14 of the exhibit to read

"Paper, Newsprint in rolls less than 24 inches in diameter."

Eliminate the entry "Tile, loose or in packages 5" appearing on Page 16 of the exhibit and add the following entries:

"Tile, hollow, building 5"

"Tile, N.O.S., loose 1"

"Tile, N.O.S., in barrels, boxes or crates 3."

IT IS HEREBY FURTHER ORDERED that in all other respects Decision No. 28632 in the above entitled proceeding, as amended by Decisions Nos. 28731, 28753, 29277 and 29595 shall remain in full force and effect.

This order shall become effective April 15, 1937.

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 5th day of ~~April~~ ^{April} ~~March~~, 1937.

Walter H. ...
Leon ...
Francis R. ...
...
...
Commissioners.