

Decision No. 30786

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all Radial Highway Common Carriers and Highway Contract Carriers operating motor vehicles over the public highways of the State of California, pursuant to Chapter 228, Statutes of 1935, for the transportation for compensation or hire of any and all commodities and accessorial services incident to such transportation.

Case No. 4088
Part "U"

In the Matter of the Investigation and Establishment of rates, charges, classifications, rules, regulations, contracts and practices, or any thereof, of Common Carriers of property.

Case No. 4145
Part "F"

Additional Appearance

W.E. Wilson, for Monolith Portland Cement Company

BY THE COMMISSION:

SEVENTH SUPPLEMENTAL ORDER

At a further hearing had at San Francisco on April 8, 1938, before Examiner Howard G. Freas it was proposed that Decision No. 30370 in the above entitled proceedings, as amended, be further amended to provide that the rates established from and to San Francisco would also apply from and to the industrial area of South San Francisco, and from and to a portion of San Mateo County intermediate between San Francisco and South San Francisco.

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By Decision No. 30370, and as amended, the Commission established minimum rates for highway carriers and reasonable and sufficient rates for common carriers for the transportation of property in quantities of 20,000 pounds and less within defined territory in northern California. In so far as territory more than 70 miles from the Oakland pick-up and delivery zone was concerned San Francisco and Oakland were grouped but rates from and to South San Francisco were based on actual constructive mileage from and to that city.

P.J. Shaw, a director of the Manufacturers' Association of South San Francisco, testified that there is a close commercial as well as geographical relationship existing between San Francisco and South San Francisco. He stated that while these two areas are separate corporate entities, South San Francisco is included within the San Francisco post office system and railroad switching limits,² that most of its banking is transacted in San Francisco, and that one half of its working population resides in that city. He pointed out that the distance between the two cities is considerably less than that between East Bay cities embraced in one rate group and contended that industries in the South San Francisco area could not continue to operate at the present disparity of rates.

Walter Rohde, Transportation Manager of the San Francisco Chamber of Commerce, testified that because of the restrictive boundaries on the west, north and east, San Francisco looks to South San Francisco as a practical location for further development of those heavy industries which require level land and nearness to the commercial life of San Francisco. Excepting politically, the San Francisco Chamber has for many years, he said, considered South San Francisco a part of San Francisco. He also testified that there is considerable commercial activity in that portion of San Mateo County lying between San Francisco and South San Francisco and that this territory should also be included within the proposed rate group.

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In South San Francisco Chamber of Commerce vs. Southern Pacific Company et al., 18 C.R.C. 997, rail carriers were required to place a portion of South San Francisco within the San Francisco switching limits. The commercial unity of the two cities was described in detail in the Commission's decision.

The proposal is unopposed.

It appears from the record that San Francisco, the industrial area of South San Francisco and the intermediate territory are so related from a commercial and industrial standpoint that this entire territory should be included in a single rate group. The proposal will be adopted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Section No. 1 of Appendix A to Decision No. 30370, dated November 29, 1937, as amended, in the above entitled proceedings, be and it is hereby further amended as follows:

1. Change sub-paragraph 4 of paragraph (c), Rule No. 40, to read as follows:

"4. From points of origin or to points of destination more than 70 miles distant from the Oakland pick-up and delivery zone (computed in accordance with the method hereinabove provided), distances from or to points located within the San Francisco or Oakland pick-up and delivery zones shall be the average of the distances from or to such pick-up and delivery zones (computed in accordance with the methods hereinabove provided). In the event the distance computed from and to the San Francisco and Oakland pick-up and delivery zones in accordance with this paragraph is less than the distance computed from and to an intermediate point via the shortest constructive route, such lesser mileage shall apply from and to such intermediate point."

2. Add to Rule No. 45 (description of pick-up and delivery zones) the following sub-paragraph:

"(aa) San Francisco: Mileage Point, Tenth and Market Streets, San Francisco: including all of the City of San Francisco, also the territory bounded as follows: Beginning at the point of intersection of the southern boundary line of the City of South San Francisco and the shore line of San Francisco Bay; thence westerly along said line to the western side of the Southern Pacific's main line right of way; thence northerly along the western side of said right of way to Tanforan Avenue; thence along Tanforan Avenue to the western side of the Southern Pacific's Valencia Street line right of way; thence along the western side of said right of way to Orange Avenue; thence along Orange Avenue to Railroad Avenue; thence easterly along Railroad Avenue to Bay Shore Highway; thence northerly along Bay Shore Highway to Main Street; thence westerly along Main Street to Schwerin Street; thence northerly along Schwerin Street to Partridge Street; thence westerly along Partridge Street to the easterly boundary of the Grand National Exposition Live Stock property of Agricultural District No. 1-A of the

State of California; thence southerly, westerly and northerly along the boundaries of said property across Geneva Avenue to the city limits of San Francisco at Santos Street; thence easterly along said boundary line to the shore line of San Francisco Bay; thence southerly along the shore line of San Francisco Bay to the point of beginning."

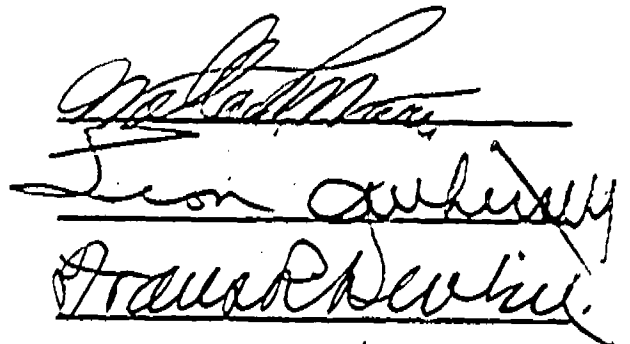
IT IS HEREBY FURTHER ORDERED that all common carriers as defined in the Public Utilities Act be and they are hereby ordered and directed to establish on or before fifteen (15) days from the effective date of this order, on not less than one (1) day's notice to the Commission and to the public, rates, rules and regulations no lower in volume or effect than those established in and by said Decision No. 30370 as modified by prior orders and by this order.

IT IS HEREBY FURTHER ORDERED that all common carriers as defined in the Public Utilities Act and all radial highway common carriers and highway contract carriers as defined in the Highway Carriers' Act be and they are hereby ordered to cease and desist on or before fifteen (15) days from the effective date of this order and thereafter abstain from charging, collecting or observing rates, rules or regulations lower in volume or effect than those set forth in Appendix A of Decision No. 30370, as amended by this and prior orders in the above entitled proceedings.

In all other respects said Decision No. 30370, as amended, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day of April, 1938.



Commissioners