

Decision No. 30958

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 operat-
ing motor vehicles over the public
highways of the State of California,
pursuant to Chapter 223, Statutes of
1935, for the transportation for com-
pensation or hire of any and all com-
modities and accessorial services
incident to such transportation.

ORIGINAL

Case No. 4088

Part "L"

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

Case No. 4145

Part "A"

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

At further hearings in these proceedings held at San Francisco on May 10 and 11, 1938, before Examiner E. S. Williams evidence was received relating to petition filed by the Sacramento Chamber of Commerce for modification of Decision No. 30404 by the inclusion of a rule in Appendix A of said decision reading as follows:¹

"The pick-up and delivery area at Sacramento from and to which rates prescribed apply is that area lying within the Sacramento city limits; also that area contiguous to and within 1 mile of Sacramento city limits."

In justification of the proposed modification, petitioner stated that there were six box factories located in the Sacramento district, three of which were within the Sacramento city limits and three within the industrial area adjacent to and within one mile of said limits; that the adjacent area is a part of the industrial de-

¹

Evidence was also received at these hearings covering other phases of Cases Nos. 4088 and 4145. These matters will be disposed of in separate decisions.

velopment of the city of Sacramento and that lumber and lumber products produced at plants located in this area are sold at various points in California in competition with similar commodities produced at plants located within the city limits. Petitioner pointed out that under the established minimum rates both lower and higher rates apply from and to the plants located in the area outside the Sacramento city limits than those applicable from and to points within these limits.² It urged that competitive conditions as between the several box factories in the Sacramento district and the industrial relationship of the adjacent area to the city of Sacramento make it desirable that rates from all of said plants be maintained at the same rate level. The territory covered by the proposed rule is the same as the Sacramento pick-up and delivery limits established by Decision No. 30668 in Parts "U" and "V" of Case No. 4088 and Parts "F" and "G" of Case No. 4145. In view of the evidence submitted in support of the proposal and of the fact that uniformity with the zone adopted in Decision No. 30668, supra, will result, the proposal will be given effect. Therefore, good cause appearing,

IT IS HEREBY ORDERED that the following paragraph be and it is hereby added to Item 35, Note 1 of Appendix A to Decision No. 30404:

"(c) Distances from or to points located within the city limits of Sacramento, also within a radius of 1 mile of the city limits of Sacramento shall be computed from or to the point within the incorporated city limits of Sacramento designated by a triangle and circle."

IT IS HEREBY FURTHER ORDERED that all radial highway common carriers and highway contract carriers as defined in the Highway

2

Petitioner cited as an example that under the established minimum rates shipments of lumber in quantities of not less than 30,000 pounds moving from one of the box factories located in the proposed extended area beyond Sacramento to Stockton takes an 8-cent rate, those within Sacramento a 7½-cent rate and those located in the proposed extended area intermediate to Sacramento a 6½-cent rate.

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. 30404, as amended by this order.

In all other respects said Decision No. 30404 shall remain in full force and effect.

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

Los Angeles
Dated at ~~San Francisco~~, California, this 6th day of

June, 1938.

William H. Hall
John A. Whalley
Frank P. DeWitt
Robert A. DeWitt
Ray & Ailey
Commissioners.