

Decision No. 31281

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of just, reasonable and non-discriminatory maximum or minimum or maximum and minimum rates, rules, classifications and regulations for the transportation of property over the public highways in the Cities of San Diego, Chula Vista, Coronado, and National City.

Case No. 4135

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 between the Cities of San Diego, Chula Vista, Coronado and National City, or any of them.

Case No. 4139

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 223, 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 "K")

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

A petition for modification of Decision No. 30021 of August 9, 1937, as amended, in the above entitled proceedings, has been filed by the California Portland Cement Company seeking the establishment of reduced rates for the transportation of cement in quantities of 28,500 pounds or more delivered within a 24 hour period, between points within the San Diego drayage area. Petitioner requests that, exclusive of ferry fees, a rate of $2\frac{1}{2}$ cents per 100 pounds be established for the first $2\frac{1}{2}$ miles plus $\frac{1}{2}$ cent per 100 pounds for each additional 5 miles. It represents that shipments of 28,000 pounds or

more are adapted to efficient and economic loading, unloading and handling and that the suggested rates will return adequate revenue for the service required.

By Decision No. 30837 of May 5, 1938, in Cases Nos. 3981, 4071 and 4121 and Application No. 21172, the Commission, among other things, established minimum rates of the volume of those here sought for similar transportation wholly within Los Angeles County and for movements beyond railheads through a wide territory in southern California for distances not exceeding $12\frac{1}{2}$ miles. For greater distances we established rates on a slightly lower basis. Although the effective date of that decision has been suspended by the filing of petitions for rehearing, said petitions did not challenge the propriety of the particular rates mentioned. Operating conditions in the transportation of cement within the San Diego drayage area do not appear to be substantially different from those attending like transportation within the territory covered by said Decision No. 30837, and the establishment of minimum rates not higher than those contained in Decision No. 30837 seems justified. The order herein will establish rates substantially of the volume of those contained in Decision No. 30837. If other or different relief is desired the matter will be set for public hearing.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Appendix "A" of Decision No. 30021 dated August 9, 1937, as amended, in the above entitled proceedings be and it is hereby further amended by adding the following item:

Cement, Portland (building)
Minimum weight - 28,500 pounds

Item No.350	MILES		RATES
	Over	But not over	(In cents per 100 Pounds) (Subject to Note 1 and Note 2)
	0	2½	2½
	For each additional 5 miles or fraction thereof, add		½

NOTE 1. - Rates are not subject to the applica-
tion of Rule 30 (b), Rule No. 50 (a),
Rule No. 80, or Rule No. 90.

NOTE 2. - Rates include loading and unloading.

In all other respects said Decision No. 30021, as amended,
shall remain in full force and effect.

The effective date of this order shall be ten (10) days
from the date hereof.

Dated at San Francisco, California, this 19th day
September, 1938.

Ray Washburn
Leon Washburn
Frank Washburn
Ray Washburn
Commissioners