

Decision No. 31407

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 for the transportation of property, for compensation or hire, over the public highways, by all Radial Highway Common Carriers and Highway Contract Carriers between, and by all City Carriers within the cities of Oakland, Albany, Alameda, Berkeley, Emeryville and Piedmont, in the County of Alameda.

Case No. 4108

ORIGINAL

In the Matter of the Investigation and Establishment of rates, charges, classifications, rules, regulations, contracts and practices, or any thereof, of EAST BAY DRAYAGE & WAREHOUSE CO., HASLETT WAREHOUSE COMPANY, INTER-URBAN EXPRESS CORPORATION, KELLOGG'S EXPRESS & DRAYING CO., MERCHANTS EXPRESS CORPORATION, PEOPLES EXPRESS, SPECIAL DELIVERY SERVICE CO., UNITED PARCEL SERVICE, UNITED TRANSFER COMPANY and WEST BERKELEY EXPRESS & DRAYING COMPANY, operating as Highway Common Carriers, for transportation of property, for compensation over the public highways of the State of California, between the cities of Oakland, Albany, Alameda, Berkeley, Emeryville and Piedmont, in the County of Alameda, and for accessorial services incident to such transportation.

Case No. 4109

BY THE COMMISSION:

TWELFTH SUPPLEMENTAL OPINION AND ORDER

By Decisions Nos. 31291 and 31292 of September 22, 1938, in the above entitled proceedings, special commodity rates were established for the transportation of sugar and groceries, respectively, within the East Bay drayage area. These rates were provided upon the representations of Draymen's Association of Alameda County, Western Sugar Refinery and California-Hawaiian Sugar Refining Corporation, Ltd., that they were required by reason of a change in distribution methods brought about by the existence of strike conditions.

The Draymen's Association of Alameda County has now advised the Commission by letter that the strike conditions are no longer present and that the need for the special commodity rates has ceased. It appears, therefore, that the special rates established by said Decisions Nos. 31291 and 31292 may now be cancelled.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Appendix "A" of Decision No. 29217, as amended, in the above entitled proceedings, be and it is hereby further amended by cancelling the following items from page 24 of Section 3 thereof, which items were added by Decisions Nos.

31291 and 31292 of September 22, 1936:

<u>Commodity</u>	<u>Rate</u>
Sugar, when moving from pool cars for distribution to retailers or consumers	13-3/4 cents per 100 pounds, Minimum charge 40 cents per shipment
Groceries and Grocers' Supplies, as described in Note 4 on pages 3, 4 and 5 of Appendix "B" to Decision No. 30682, when moving from docks, rail cars, highway trucks or manufacturers' stocks to retailers or consumers	15 cents per 100 pounds, Minimum charge 50 cents per shipment

IT IS HEREBY FURTHER ORDERED that all carriers as defined in Chapter 312, Statutes of 1935, as amended, all radial highway common carriers and highway contract carriers as defined in Chapter 223, Statutes of 1935, as amended, and all common carriers as defined in the Public Utilities Act of the State of California, be and they are hereby ordered to cease and desist on or before ten (10) days from the effective date of this order and thereafter abstain from applying, demanding, collecting or receiving rates less than those provided in Appendix "A" of Decision No. 29217, as amended, by prior orders and by this order.

IT IS HEREBY FURTHER ORDERED that all common carriers as defined in the Public Utilities Act of the State of California, maintaining rates lower in volume or effect than those provided in Appendix "A" of Decision No. 29217, as amended by prior orders and by this order, be and they are and each of them is hereby ordered and directed to establish, on or before ten (10) 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 no lower in volume or effect than those provided in Appendix "A" of Decision No. 29217, as amended by prior orders and by this order.

In all other respects said Decision No. 29217, 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 31st day of October, 1938.

Robert A. Brown
Leon A. Brown
Frank C. Nelson
Ray L. Brown

Commissioners.