

Decision No. 31486

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
John J. Williams d.b.a. Williams )  
Transfer Co. for permission to charge ) Application No. 22394  
less than minimum rates on freight, )  
regardless of classification. )

BY THE COMMISSION:

OPINION AND ORDER

By this application John J. Williams, doing business as Williams Transfer Co., seeks authority under Section 10 of the City Carriers' Act and Section 11 of the Highway Carriers' Act to transport property in shipments weighing 500 pounds or less, as a city carrier and a highway contract carrier, within the Los Angeles drayage area, at rates less than the minimum rates established by Decision No. 30785, as amended, in Case No. 4121.<sup>1</sup> The rates which applicant proposes to charge for such transportation and the shippers which he proposes to serve under such rates are set forth in Appendix "A" hereto. Williams also seeks authority to assess a flat charge of 13 cents for C.O.D. collections, in lieu of the charges provided by said Decision No. 30785, as amended.

In support of the application it is alleged that this carrier performs a scheduled and routed parcel delivery service which is highly specialized in nature and which is essentially different from ordinary drayage service. It is asserted that the minimum rates are not adaptable to this type of transportation in that they require the classification of freight, the issuance of separate bills of lading

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<sup>1</sup> Effective December 1, 1938, said Decision No. 30785, as amended, will be superseded by Decision No. 31473 of November 25, 1938, in the same proceeding, however, the changes made do not materially affect this application.

and the observance of zoning boundaries. It is claimed, moreover, that certain economies are possible in an operation of this type by reason of which service can be performed profitably at rates lower than the established minimum rates.

In further support of the application, it is stated that the shippers for whom the transportation here involved is being performed have definitely decided to commence proprietary operations if they are required to assess the established minimum rates and abide by the governing rules and regulations.

It is evident from the allegations of the application that the routed and scheduled transportation service performed by Williams Transfer Co. is of a specialized nature for which the established minimum rates are not readily adaptable. It is evident also that in a service of this nature economies which should permit profitable operation at rates lower than those required for ordinary drayage are possible. In declining to establish special rates for routed and scheduled services in Decision No. 31473, supra, the Commission specifically recognized that lower and different rates would be justified for this type of operation and stated that relief would be afforded the carriers engaged therein upon the filing of appropriate applications under Sections 10 and 11 of the City and Highway Carriers' Act, respectively. Under these circumstances, this is not a matter in which a public hearing is required, except insofar as the request for a flat C.O.D. charge is concerned. Sufficient justification for the sought charge of 13 cents has not been set forth in the application and in the event applicant desires further consideration to be given to this matter, it will be necessary to schedule a public hearing. Therefore, good cause appearing,

IT IS HEREBY ORDERED that John J. Williams, doing business as Williams Transfer Co., be and he is hereby authorized to charge

rates less than the minimum rates established by Decision No. 31473 of November 25, 1938, but not less than the rates set forth in Appendix "A" attached hereto and by this reference made a part hereof, for the transportation for which rates are therein provided and for the shippers who are therein named.

IT IS HEREBY FURTHER ORDERED that in all other respects this application be and it is hereby denied without prejudice.

The authority herein granted shall expire one (1) year from the date hereof unless sooner changed, cancelled or extended by an appropriate order of the Commission.

This order shall become effective December 1, 1938.

Dated at San Francisco, California, this 27<sup>th</sup> day of November, 1938.

Raymond W. Kelly  
Leon A. Kelly

Ray W. Kelly  
Commissioners

APPENDIX "A"

The following rates apply for the transportation of property transported in scheduled and routed parcel delivery service, for the shippers named, within the Los Angeles drayage area as described in Decision No. 31473 of November 25, 1938, in Case No. 4121, subject to all the rules and regulations provided in said decision and not inconsistent with such rates.

<u>Name of Shipper</u>	<u>Rate in Cents per Shipment (1)</u>	<u>Guaranteed Monthly Revenue (2)</u>
Union Hardware & Metal Co.	28	2,000.00
Ducommun Metals & Supply Co.	28	2,000.00
Harper & Reynolds Corp.	28	700.00
Hoffman Hardware Co.	33	600.00
California Hardware Co.	33	300.00
Westinghouse Electric Supply Co. of Southern California	25	300.00
General Electric Supply Corp.	34.5	500.00
Listenwalter & Gough Inc.	30	400.00
Leo J. Meyberg Co.	32	400.00

(1) Applies only on shipments weighing 500 pounds or less.

(2) The amount guaranteed is the transportation charge on shipments weighing 500 pounds or less moving under rates herein authorized.