

Decision No. 31611

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Joaquin Lopez, an individual, for
authority to charge less than the
minimum rates established by Decision
No. 30600, as amended.

} Application No. 22450

BY THE COMMISSION:

OPINION AND ORDER

By this application Joaquin Lopez, an individual, seeks authority under Section 10 of the City Carriers' Act and Section 11 of the Highway Carriers' Act to transport paper, paper articles and related commodities as a city carrier, a radial highway common carrier and a highway contract carrier, between points within the Los Angeles drayage area, at lesser charges than those accruing under the minimum rates established in and by Decision No. 30600 of February 7, 1938, as amended, in Case No. 4121. The commodities proposed to be transported, the rates sought to be charged and the shippers proposed to be served are set forth in Appendix "A" hereof.

Applicant asserts that he has transported paper and paper products in the Los Angeles drayage area for the past several years but that, with the exception of certain minor hauls, he has lost this traffic to competing carriers who have heretofore been granted authority under Section 10 of the City Carriers' Act and Section 11 of the Highway Carriers' Act to perform similar transportation at

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less than the established minimum rates. Applicant further asserts that due to the specialized nature of the service, the large volume of available tonnage and the ease of handling the commodities involved he can perform this transportation service at rates substantially less than those established by Decision No. 30600, supra, and that the rates sought will be compensatory.

It is apparent from the allegations contained in the application that applicant will be precluded from sharing in the paper and paper products traffic if he is required to charge higher rates than those charged by competing carriers offering similar transportation services. The rates here sought to be charged are substantially the same as those which the several competing carriers hereinbefore mentioned have previously been authorized to observe. Under these circumstances this is not a matter in which a public hearing is necessary. The application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Joaquin Lopez be and he is hereby authorized to assess and collect, for the transportation for which rates are provided in Appendix "A" attached hereto and by this reference made a part hereof, rates less than the minimum rates heretofore established by the Commission but not less than those provided in said appendix.

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Authority similar to that herein sought (applicable in many instances to the same shippers) has previously been granted to Reader Transportation Service (Decision No. 31330 of October 3, 1938, in Application No. 22086), F. Teskey (Decision No. 31379 of October 20, 1938, in Application No. 22283), Service Transportation Company, Inc. (Decision No. 31402 of October 31, 1938, in Application No. 22322), L. Pettit (Decision No. 31437 of November 5, 1938, in Application No. 22336), Cole McGee (Decision No. 31440 of November 5, 1938, in Application No. 22334) and Co-Operative Delivery Service, Ltd. (Decision No. 31574 of November 19, 1938, in Application No. 22433).

The authority herein granted shall expire October 31, 1939, unless sooner canceled, changed or extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 28th day of December, 1938.

Raymond A. ...
Frank ...
W. ...

COMMISSIONERS.

APPENDIX "A"

ITEM NO. 10 - APPLICATION OF RATES

Rates provided in this appendix apply only for the transportation of commodities listed in Item No. 20, for shippers listed in Item No. 30, between points within the zones described in Item No. 40.

ITEM NO. 20 - COMMODITIES

Paper, viz.:

Boxboard
Blotting
Carbon
Containers, viz.:
 Corrugated
 Fibre
Cardboard
Chipboard
Converting Paper
Corrugated Sheets
Cover
Crepe
Gummed
Napkin Paper
Newsprint
Poster
Printing
Shelf
Toilet
Toweling
Waxed
Wrapping
Writing

Paper Articles, viz.:

Arch Files
Bags
Blank Books
Bottles
Boxes, fibreboard,
 pulpboard or
 strawboard
Cans
Cans, ice cream
Cards
Covers, toilet seat
Cups

Paper Articles, viz.:(Continued)

Dishes
Doilies
Envelopes
Files, letter
File Boxes, viz.:
 cardboard
Folding and upright
 boxes
Folders
Indexes, Index cards
 and filers
Lids
Lunch sets
Napkins
Nestrites
Pails
Papeteries
Paper, corrugated
Paper Expanding Files
Partition, Partition
 Parts, liners and
 pads, corrugated
 or fibre
Photomailers
Plates
Receipt books
Reinforcements
Seals
Spoons, paper
Statements
Straws, or sippers
Table covers
Tablets
Tags
Tissue, facial
Tubing
Tubs

Other Commodities, viz.: (See Note)

Binders, looseleaf
Book Supports or Book
ends, metal
Brushes
Candle Holders
Candles
Cellulose Articles, viz.:
Cartons
Cases
Packages
Tubes
Chair Cushions
Chalk, writing
Chamois, imitation
Chop Frills & Holders
Coasters
Compasses, drawing
Cordage
Cutters, paper
Crayons
Desk Trays, wire
Desk Trays, wood, set up
Dust Cloths
Dispensers, viz.:
Cup
Sanitary napkin
Soap
Tape
Toilet seat cover
Toilet tissue
Towel
Erasers
File Boxes, viz.:
wood, wood and metal
combined
Filing Cabinets
steel or wood
Finger pads, rubber
Fountain pens, in-
cluding desk sets
Games, card
Handkerchiefs
Inkwells
Machines, numbering
Machines, punching
Machines, stapling
Mimeograph supplies
Mat and showcard board
Matches
Mucilage

Other Commodities, viz.: (Con-
tinued)

Pads, calendar
Padding Adhesives
Padding Cement
Padding Compounds
Paper Clips
Paste
Pencil leads
Pencils
Penholders
Pen Tickets
Pen points
Pins
Ribbons
Roofing Materials, viz.:
Asphalt
Compounds
Paper, roofing
Shingles
Tile
Tile, imitation
Rope
Rulers
Scales, postage
School Art Materials, viz.:
Paints, water colors
Scissors
Sharpeners, pencil
Sink Strainers
Soap
Stamps, rubber
including date stamps
Stands, calendar
Staples
Supplies, Janitor
Tape, gummed, paper or
cloth, mending, sealing
Thumb Tacks
Trees, Xmas, glo-light
or artificial
Twine
Wallboard
Waste baskets, fibre,
wood or wire
Window Display Material
Woodenware, viz.:
Spoons, Forks,
Sticks, Toothpicks
World Globes
Writing Ink
Wax Remover

Note: Commodities listed under the heading "Other Commodities, viz.:" may be transported at rates named herein, provided the movement of such commodities is incidental to the movement of paper and paper articles, and provided further that the weight of such commodities, on an average over each calendar month, does not exceed 15 per cent of the weight of paper and paper articles transported for the same shipper.

ITEM NO. 30 - SHIPPERS

A. C. Abbott Company; Angelus Paper and Envelope Company; A. U. Morse Company; Badger Paper Company; Blake, Moffit & Towne; Brown Paper Goods Company; Cann & Company; Carpenter Paper Company; Comfort Paper Company; Crown Willamette Paper Co.; Crystal Paper Service; Fibre-board Products, Inc.; Gaylord Container Company; General Paper Company; General Woodenware Corporation; Hawley Pulp and Paper Company; Independent Paper Stock Company; Ingram Paper Company; Johnson, Carvell & Murphy; Kelly Paper Company; Kieckhefer Container Company; La Salle Paper Company; Los Angeles Carton Company; Los Angeles Paper Bag Company; Menasha Paper Products; National Paper Products Company; Paper Specialities Company; Pioneer Flintkote Company; Sales Service Company; Sherman Paper Products; Silikin Paper Goods Company; Taverner & Fricke; Towelsaver, Inc.; Union Bag and Paper Corporation; Union Paper and Supply Company; U. S. Paper Company; Western Wax Paper Company; Zellerbach Paper Company.

ITEM NO. 40 - ZONES

ZONE 1

Commencing at the intersection of Atlantic Avenue and Florence Avenue; west on Florence Avenue to Vermont Avenue; north on Vermont Avenue to Fountain Avenue; east on Fountain Avenue to Hyperion Street; northeast on Hyperion Street to Rowena Street; southeast on Rowena Street to Fletcher Drive; northeast on Fletcher Drive to Casitas Avenue; northwest on Casitas Avenue to Rosslyn Street; northeast on Rosslyn Street to the Union Pacific right of way; southeast on the Union Pacific right of way to Isabel Street; southeasterly on Isabel Street to Griffin Avenue; south on Griffin Avenue to North Broadway; east on North Broadway to Mission Road, southwest on Mission Road to Valley Boulevard; east on Valley Boulevard to Marianna Avenue; south on Marianna Avenue to Eastern Avenue; south on Eastern Avenue to Whittier Boulevard; east on Whittier Boulevard to Atlantic Avenue; thence south on Atlantic Avenue to point of commencement.

ZONE 2

Commencing at the intersection of Atlantic and Whittier Boulevards; east on Whittier Boulevard to San Gabriel Boulevard; southeast on San Gabriel Boulevard to Anaheim-Telegraph Road; northwest on Anaheim-Telegraph Road to Paramount Boulevard; southwest on Paramount Boulevard to Stuart and Gray Road; westerly on Stuart and Gray Road to Atlantic Boulevard; south on Atlantic Boulevard to Century Boulevard; west on Century Boulevard to Alameda Street; south on Alameda Street to 107th Place; thence along the City of Los Angeles boundary line to 120th Street; westerly on 120th Street to Vermont Avenue; northerly on Vermont Avenue to Manchester Avenue; westerly on Manchester Avenue to Western Avenue; north on Western Avenue to Florence Avenue; west on Florence Avenue to Crenshaw Boulevard; north on Crenshaw Boulevard to Olympic Boulevard; west on Olympic Boulevard to Robertson Boulevard; north on Robertson Boulevard to Melrose Avenue; west on Melrose Avenue to the boundary line of the City of Beverly Hills to the Coldwater Canyon Road,

ZONE 2 (Continued)

along to the Mulholland Highway to Barnham Boulevard; north on Barnham Boulevard to the north Los Angeles city boundary to Rosslyn Street; northwest on Rosslyn Street to the Los Angeles city boundary to Marianna Avenue; to the intersection of Marianna Avenue and Eastern Avenue; along the southerly boundary of Zone 1 to Whittier Boulevard; thence east on Whittier Boulevard to point of commencement.

ITEM NO. 50 - RATES (In cents per 100 pounds, except as noted)

<u>Minimum Weight</u>	<u>Intrazone</u>	<u>Interzone</u>
100 pounds	*15	*17
500 pounds	13	15
2,000 pounds	10	12
4,000 pounds	09	10
10,000 pounds	08	09
20,000 pounds	07	08
30,000 pounds	06½	07½
 *Minimum charge, in cents per shipment	 40	 50