

Decision No. 32103

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, 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.

ORIGINAL

Case No. 4088

Part "U"

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.

Case No. 4145

Part "F"

BY THE COMMISSION:

TWENTY-FOURTH SUPPLEMENTAL OPINION AND ORDER

By Decision No. 30370, as amended, in the above entitled proceedings, minimum rates were established for the transportation of property, in quantities of 20,000 pounds or less, throughout northern California.<sup>1</sup> The following petitions have since been filed, seeking modifications of said decision. It appears that they involve matters which can be disposed of without a public hearing.

The Southern Pacific Company seeks authority to enlarge and redefine its pickup and delivery zone at Tracy and the Northwestern Pacific Railroad Company seeks authority to enlarge its pickup and delivery zones at Santa Rosa and Sebastapol. Petitioners represent, generally, that the territories sought to be added con-

---

<sup>1</sup> The decision also established rates for transportation between defined territories in northern and southern California, and fixed the charge for shipments weighing 20,000 pounds as minimum for shipments of greater weights.

stitute parts of the industrial or residential developments of the respective cities.

It appears that petitioners should be permitted to extend, to the extent sought, the application of the rates prescribed by Decision No. 30370, supra, as amended for transportation from or to the cities here involved. The petitions will be granted.

By Decision No. 31065 of June 27, 1938, in these proceedings, William C. Colberg and Henry J. Colberg, copartners doing business as Colberg Motor Boats, a common carrier by vessel engaged in transporting passengers and freight in dock-to-dock service between Stockton and various points in the Stockton Delta region, were granted an exemption from the provisions of Decision No. 30370, supra, as amended, as to a number of specific commodities, on the ground that conditions surrounding their transportation by this carrier were peculiar in nature and that this operation was not competitive to any serious extent with operations of other carriers. Petitioners now request that this exemption be made applicable to all commodities which they transport. They assert that the exemption sought is essential for the reasons found by the Commission to justify granting the previous relief; that the rates which they propose to assess on the commodities not heretofore exempted were determined after a careful analysis of existing conditions; and that such rates will be reasonable and compensatory.

It appears that the conditions under which petitioners operate warrant extending the exemption heretofore granted to apply to all commodities, and that such extension will not prejudice other carriers. Moreover, upon the effectiveness of the rates provided by Decision No. 31606, as amended, in Case No. 4246, the dock-to-dock rates heretofore prescribed by Decision No. 30370, as amended, no longer will be applicable. In view of these circumstances the petition will be granted.

Therefore good cause appearing,

IT IS HEREBY ORDERED that Decision No. 30370, as amended, be and it is hereby further amended to permit the Southern Pacific Company to establish, for transportation from or to points which it may be authorized to serve within the following described territories, the rates prescribed by said Decision No. 30370, as amended, for transportation from or to points within the city limits of Tracy:

"Tracy: Including all of the City of Tracy; also territory outside the city limits as follows:

(1) Beginning at the intersection of Holly Drive and Eaton Avenue, northerly on Holly Drive to Grant Line westerly on Grant Line 2,500 feet.

(2) Beginning at the intersection of 11th Street and the city limits of Tracy, westerly on 11th Street or its prolongation (U.S. Highway No. 50) 1,500 feet.

(3) Beginning at the intersection of 11th Street and the city limits of Tracy, easterly on 11th Street or its prolongation (U.S. Highway No. 50) 3,000 feet."

IT IS HEREBY FURTHER ORDERED that said Decision No. 30370, as amended, be and it is hereby further amended to permit the Northwestern Pacific Railroad Company to establish, for transportation from or to points which it may be authorized to serve within the following described territories, the rates prescribed by said Decision No. 30370, as amended, for transportation from or to points within the city limits of Sebastopol and Santa Rosa:

"Sebastopol: Including all of the city of Sebastopol; also territory located within one-half mile of city limits."

"Santa Rosa: Including all of the city of Santa Rosa, all territory within one-half mile of city limits, and points of origin and destination located as follows:

(1) North of Santa Rosa on U.S. Highway No. 101 to and including Santa Rosa Municipal Airport;

(2) North and east of Santa Rosa on Chanate Road to and including Sonoma County Hospital and Tuberculosis Sanitarium;

(3) East of Santa Rosa on State Highway No. 12 to and including Santa Rosa Brass and Foundry Co.;

(4) South of Santa Rosa on U.S. Highway No. 101 to and including Chapel of the Chimes."

IT IS HEREBY FURTHER ORDERED that the second ordering paragraph of Decision No. 31065 of June 27, 1938, in the above entitled proceedings, which amended said Decision No. 30370, be and it is hereby cancelled, and that in lieu thereof, the following be and it is hereby added to paragraph (c) of Rule No. 20 of Appendix "A" to said Decision No. 30370, as amended:

"Shipments transported by William C. Colberg and Henry J. Colberg, copartners doing business as Colberg Motor Boats."

In all other respects said Decision No. 30370, 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 20<sup>th</sup> day of June, 1939.

Frank DeLeon  
Ray H. Avey  
H. B. ...  
Justus J. Coe  
Commissioners