

Decision No. 32590

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
the WALKUP DRAYAGE AND WAREHOUSE )  
COMPANY, for authorization to trans- )  
port for compensation or hire over )  
the public highways in the City and )  
County of San Francisco certain com- )  
modities listed in the application. )

ORIGINAL

Application No. 20520

BY THE COMMISSION:

THIRD SUPPLEMENTAL OPINION AND ORDER

By Decision No. 29905 of June 28, 1937, as amended, in the above entitled application, Walkup Drayage and Warehouse Company was authorized to perform certain types of transportation within San Francisco at rates less than the established minimum rates.<sup>1</sup> By supplemental application filed November 17, 1939, extension of such authority to cover certain additional types of transportation is sought.

The types of transportation which applicant is now authorized to perform at rates less than the established minimum rates, in general, embrace "inhaul," "shipping" and "city delivery" of various commodities under certain specified conditions.<sup>2</sup> In its

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The minimum rates for transportation within San Francisco are contained in Decision No. 28632, as amended, in Case No. 4084.

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The term "inhaul" is defined in Decision No. 28632, supra, as meaning transportation of property received from another carrier at a depot, dock, wharf, pier or landing originating beyond the limits of the City and County of San Francisco, also the transportation of property from public warehouses to wholesalers. "Shipping" is defined to mean transportation of property to another carrier when destined beyond the limits of the City and County of San Francisco. "City delivery" is defined as the transportation of property to retail stores or direct consumers of the property transported when the shipment originates within the City and County of San Francisco at other than a carrier's depot, dock, wharf, pier or landing.

supplemental application applicant seeks extension of the aforesaid "inhaul" rates, to the extent they apply to transportation for wholesale grocers and wholesale hardware houses, to apply to all transportation not now embraced within the definitions of "city delivery" or "shipping." Applicant alleges that the facts and circumstances relied upon as justifying this proposal are the same as those found by the Commission to justify similar action in connection with the minimum drayage rates established in Case No. 4084 for like transportation by carriers generally.<sup>3</sup>

The Draymen's Association of San Francisco advise they have no objection to the granting of the application.

This does not appear to be a matter in which a public hearing is necessary. Modification of the rates heretofore authorized, in like manner as the corresponding minimum rates were modified in Case No. 4084, will be made. Comparison of the rates which applicant was authorized to charge herein with the established minimum rates for transportation performed for wholesale hardware houses indicates, however, that, due to adjustments in the minimum rates made after the original authority herein was granted, the established minimum rates result in lower charges in all instances for this particular transportation. Under these circumstances the need for this rate appears to have been removed and it will be cancelled.

Therefore, good cause appearing,

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By Decision No. 32541 of November 8, 1939, in Case No. 4084, the Commission extended the application of "inhaul" rates applicable to transportation of property for wholesale grocers and wholesale hardware houses to include movements in the nature here under consideration. In support of that action the Commission said, "In view of the showing that the transportation characteristics in connection with the movements for which the existing inhaul rates are proposed do not differ materially from those attending inhaul transportation and it appearing that the rates for wholesale grocers and hardware houses based on minimum tonnage requirements over a period of time should cover all types of traffic which these houses ordinarily ship, the proposals will be adopted."

IT IS HEREBY ORDERED that the term "not otherwise specified" be and it is hereby substituted for the term "inhaul" appearing in Item No. 3 of Exhibit "A-1" attached to Decision No. 29905, as amended, in the above entitled application; and that Item No. 4 of said exhibit be and it is hereby cancelled. In all other respects said Decision No. 29905, as amended, shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 2<sup>nd</sup> day of November, 1939.

*R. J. [Signature]*  
*R. J. [Signature]*  
*[Signature]*  
*Justus D. Colver*  
Commissioners