

Decision No. 31606

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 regu-)
lations of all common carriers as)
defined in the Public Utilities)
Act of the State of California,)
as amended, and all highway car-)
riers as defined in Chapter 223,)
Statutes of 1935, as amended, for)
the transportation, for compensa-)
tion or hire, of any and all)
commodities.)

Case No. 4246

ORIGINAL

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 31606 of December 27, 1938, in this proceeding (41 C.R.C. 671) as amended, the Commission, with exceptions not here important, established statewide minimum rates, rules and regulations for the transportation of property by common, radial highway common, and highway contract carriers. These rates include pickup and delivery service within defined areas. The Atchison, Topeka and Santa Fe Railway Company, Southern Pacific Company and The Western Pacific Railroad Company seek authority to extend the Oakland pickup and delivery rates to that portion of the City of Alameda situated west of Main Street, and the Southern Pacific Company seeks authority to extend the Mills pickup and delivery rates

to Mather Field.¹ Evidence relative to these petitions and relative to rates from and to territory in and contiguous to Alameda and Mills was received at public hearing had at San Francisco on December 9, 1940, before Examiner Mulgrew.²

In support of the granting of the petitions it was represented that development by the United States Government for national defense of a naval air base and an army air field in the territories proposed to be accorded Oakland and Mills pickup and delivery rates, respectively, would require the transportation of substantial quantities of materials and supplies. Witnesses for the petitioners claimed that the supplementing of rail service from and to the air fields by inaugurating pickup and delivery service by motor vehicle for less-than-carload shipments would assist in furthering the defense program.

Under petitioners' present tariffs, shipments forwarded from, or consigned to the air fields over their lines, other than

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Under outstanding orders Oakland pickup and delivery limits include all of the City of Alameda except the territory here sought to be added and that situated south of San Leandro Bay. At Mills, located on the Southern Pacific Company's Placerville Branch 13 miles from Sacramento, the pickup and delivery area is confined to a radius of one mile of the railroad depot at that point.

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By petitions filed December 5 and December 17, 1940, respectively, Sacramento-Corning Freight Lines, Ltd., and Valley Express Co., common carriers serving Mills, seek the same authority as the Southern Pacific Company in connection with the proposed extension of the Mills pickup and delivery rates. Sacramento-Corning Freight Lines, Ltd. also seeks authority to publish pickup and delivery limits conforming to those established by Decision No. 31606, as amended, supra, at other points on its Sacramento-Folsom Line. To the extent that it may possess an operating right in the areas embraced by the prescribed pickup and delivery limits, express authority to make appropriate tariff filings appears unnecessary. Should there be any question relating to this petitioner's operating rights to serve these areas that question is not a matter which may be disposed of in this proceeding.

those moving in carload or "trap car" service,³ must either be brought to or taken from petitioners' depots in the shipper's or consignee's conveyances or be turned over to local draymen for transportation at their cartage charges. Petitioners' witnesses asserted that the additional expense and the inconvenience occasioned thereby would be eliminated by the establishment of the proposed pickup and delivery rates, and that expedited handling of the traffic involved would result from the availability of through service. Those witnesses representing shipper interests testified that the granting of the petitions would be beneficial to their concerns in the forwarding and receiving of property for the construction and supply needs of the air fields. The Sacramento Chamber of Commerce urged that the petition of Southern Pacific Company relating to rates from and to Mather Field be granted. A witness representing the Chamber testified that members of that organization needed the type of service to be offered under the proposed rates.

A representative of the petitioners testified that the proposed rates were commensurate with the cost of rendering the service involved and that they desired to cooperate with the Federal

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The petitioners' tariffs provide that they will furnish switching service for less-than-carload shipments between their depots and points within their switching limits at their line-haul rates when each so-called "trap car" switched contains freight producing aggregate line-haul revenue of \$16.50 per car or more.

Government by furnishing a complete transportation service. In regard to the rates of highway carriers serving the air fields, the witness said that both increases and reductions would result if petitioners' proposals were adopted. He contended, however, that the increases would not be burdensome as they would be offset by reductions, and that the earnings of highway carriers would not be impaired. He pointed out that the proposed minimum rates from and to Alameda Air Base and Mather Field were the same as those established by outstanding rate orders from and to the Oakland and Mills pickup and delivery zones, respectively. The proposed added areas, he stated, were adjacent to the existing zones and

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To support these contentions, studies were submitted of the existing and proposed minimum rates between the air fields and representative points in the any quantity and 20,000-pound minimum weight brackets. They show that no change in rates is involved between the Alameda field and San Francisco, San Jose, Truckee and San Luis Obispo; or between Mather Field and San Francisco, Stockton, Sacramento, Truckee, Redding, Fresno and Los Angeles. Differences in rates disclosed by the studies are portrayed by the following tabulation (Rates are stated in cents per 100 pounds).

Between ALAMEDA AIR BASE And	Any Quantity								Minimum 20,000 Pounds							
	Class Rating								Class Rating							
	1		2		3		4		1		2		3		4	
E	P	E	P	E	P	E	P	E	P	E	P	E	P	E	P	
Richmond	48	47	43	42½	38½	37½	33½	33	10	9	9	8	8	7	7	6½
Stockton	60	64	54	57½	48	51	42	45	20	23½	18	21	16	19	14	16½
Sacramento	68	70	61	63	54½	56	47½	49	26½	28½	24	25½	21	23	18½	20
Redding	96	100	86½	90	77	80	67	70	47½	50	43	45	38	40	33½	35
Fresno	82	84	74	75½	65½	67	57½	59	38½	40	34½	36	31	32	27	28
Los Angeles	128	100	115	90	102½	80	89½	70	72½	52½	65½	47½	58	42	51	37
Between MATHER FIELD And																
Marysville	54	56	48½	50½	43	45	36	39	15	16½	13½	15	12	13	10½	11½

E - Existing Rates
P - Proposed Rates

involved but nominal extra distances.⁵ Other transportation conditions, according to the witness, were substantially the same as those surrounding like traffic from and to the present pickup and delivery zones. Under these circumstances, he said, the proposed rate parity was highly desirable not only in petitioners' tariffs but also in the minimum rate structure prescribed for highway carriers.

Pacific Motor Tariff Bureau, representing seven highway carriers operating in and between the East Bay cities and between San Francisco and East Bay points urged that the petition affecting the Oakland rates be granted. A witness representing these trucking interests testified that their transbay tariff provided pickup and delivery rates from and to points located within a large area now part of the Alameda Air Base, and that truck transportation from and to other locations at the Base would not differ materially from the service now rendered.

No one opposed the revision of pickup and delivery rates recommended by the petitioners.

⁵ It was explained that motor vehicles entered the Alameda field from Main Street, the present western boundary of the Oakland pickup and delivery limits; that the locations in the field designated for the delivery and receipt of truck shipments were situated at points not in excess of 3,000 feet from the entrance to the field; and that the maximum additional distance involved was not more than 9,000 feet. At Mather Field, the entrance was said to be 1/5th of a mile beyond the present pickup and delivery area of Mills and the locations assigned to truck pickups and deliveries were represented as being situated within close proximity to the entrance. This field is 3 1/4 miles long, and 3 miles wide, but, it was explained, service from and to points such distances from the field entrance would be needed only on rare occasions, the average distance from the entrance being estimated as less than 1/2 of a mile. Assertedly, it would be undesirable to embrace only those points now designated by the government for truck pickups and deliveries within the proposed extended limits due to the likelihood that other points may later be designated, and because of the possibility of sporadic shipments being offered at or consigned for delivery to other locations in the fields.

On this record it is apparent that the establishment and development of air fields by the Federal Government in the western part of Alameda, and in the vicinity of Mills, has changed the transportation conditions surrounding the handling of shipments picked up or delivered in those areas. The showing made is persuasive that under these changed conditions the pickup and delivery services in question do not differ materially from those rendered in the areas now included within the Oakland and Mills pickup and delivery limits. The similarity of transportation conditions disclosed by this record justifies the establishment of the Oakland and Mills minimum pickup and delivery rates for like service from and to the contiguous territories here involved. Outstanding orders in this proceeding will be so modified. It should be understood, however, that operating rights are not in issue in this proceeding and that the conclusions reached herein in no way determine the nature and extent of any operating authority which interested carriers may possess.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended), be amended by substituting therein, to become effective March 1, 1941, Second Revised Page 29 (Cancels First Revised Page 29) attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that tariff publications required to be made by common carriers as a result of the amendment of Highway Carriers' Tariff No. 2 herein, or which are herein authorized, shall be made effective on March 1, 1941, on not less than five (5) days' notice to the Commission and to the public.

IT IS HEREBY FURTHER ORDERED that in all other respects Decision No. 31606, as amended, shall remain in full force and effect.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 21st day of January, 1941.

[Signature]
Roy B. Washburn
Roy L. Riey
Justus J. Coenen
Francis K. Havenner
Commissioners..

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
<p>260-A (Continued)</p>	<p style="text-align: center;">PICKUP AND DELIVERY ZONES (Continued)</p> <p>♦♦MILLS: (Mileage Basing Point, Mills.) Within a radius of one mile of the Southern Pacific Company's depot; also beyond one mile from that depot along Mather Field road to and including Mather Field.</p> <p>♦♦OAKLAND: (Mileage Basing Point, Oakland.) Including all of the City of Emeryville, also those parts of Albany, Alameda, Berkeley, Oakland and Piedmont bounded by the following:</p> <p>Beginning at San Francisco Bay and Alameda-Contra Costa County Line; thence easterly along said county line to Curtis Street; thence southerly on Curtis Street to Solano Avenue; thence easterly on Solano Avenue to Tulare Avenue; thence southerly and westerly along city limits boundary line of Albany to Ordway Street; thence southerly on Ordway Street to Hopkins Street; thence northeasterly on Hopkins Street to Grove Street; thence southerly on Grove Street to Rose Street; thence easterly on Rose Street to Oxford Street; thence southerly on Oxford Street to Hearst Avenue; thence easterly and southerly along the city limit boundary line of Berkeley to Dwight Way; thence southwesterly on Dwight Way to College Avenue; thence southerly on College Avenue to Broadway; thence southwesterly on Broadway to Mather Street; thence easterly on Mather Street to Rose Avenue; thence southwesterly on Rose Avenue to Echo Avenue; thence southerly on Echo Avenue to Linda Avenue; thence easterly on Linda Avenue to Grand Avenue; thence southerly on Grand Avenue to Mandana Boulevard; thence easterly on Mandana Boulevard to Lakeshore Avenue; thence southwesterly on Lakeshore Avenue to Excelsior Avenue; thence easterly on Excelsior Avenue to Hopkins Street; thence easterly on Hopkins Street to 55th Avenue; thence southwesterly on 55th Avenue to Camden Street; thence easterly on Camden Street to Seminary Avenue; thence northeasterly on Seminary Avenue to Outlook Avenue; thence easterly on Outlook Avenue to Parker Avenue; thence southerly on Parker Avenue to Foothill Boulevard; thence southeasterly on Foothill Boulevard to the Oakland-San Leandro boundary line; thence southerly along the Oakland-San Leandro boundary line to Railroad Avenue; thence northwesterly on Railroad Avenue to 105th Avenue; thence westerly on 105th Avenue to Edes Avenue; thence northerly on Edes Avenue to Jones Avenue; thence easterly on Jones Avenue to Railroad Avenue; thence northwesterly on Railroad Avenue to 50th Avenue; thence southwesterly on 50th Avenue to San Leandro Bay; thence southerly along the shore line of San Leandro Bay and Oakland Inner Harbor to Oakland Middle Harbor; thence northerly along shore line of Oakland Middle Harbor and Oakland Outer Harbor and San Francisco Bay to point of beginning;</p> <p style="text-align: center;">-- also --</p> <p>City of Alameda, beginning at High Street and Oakland Inner Harbor, thence southerly, westerly and northerly along the shore line to the mouth of the Oakland Estuary; thence easterly, northerly and southerly along the Alameda shore line of the Oakland Estuary to starting point; including Government Island.</p> <p style="text-align: center;">(Continued)</p>
	<p>♦Reduction, ♦Increase, Decision No. EFFECTIVE MARCH 1, 1941</p>
	<p style="text-align: center;">Issued by The Railroad Commission of the State of California, San Francisco, California.</p> <p>Correction No. 175</p>