

Decision No. 24652

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of just, reasonable and non-discriminatory maximum or minimum or maximum and minimum rates, rules, classifications and regulations for the transportation of property over the public highways in the Cities of San Diego, Chula Vista, Coronado, and National City.

Case No. 4135

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 between the Cities of San Diego, Chula Vista, Coronado and National City, or any of them.

Case No. 4139

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.

Case No. 4088
(Part "K")

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

Minimum rates, rules and regulations for the transportation of property by for-hire carriers operating within the San Diego drayage area were established by Decision No. 30021 of August 9, 1937, as amended, in these proceedings. Among other things, these rates apply to the transportation of fresh or green fruit and vegetables (including mushrooms), and to empty containers used in connection with such transportation. Subsequent thereto, minimum rates were established for the transportation of fruit and vegetables,

and empty containers, between points in San Diego County adjacent to the San Diego drayage area and between other points in California.¹ However, the transportation of fruits, vegetables, mushrooms, and empty containers was exempted from the minimum rates so established when the point of destination of the shipment is a cannery, packing plant, packing shed, precooling plant or processing plant. In view of these circumstances it appears that like transportation within the San Diego drayage area should be similarly exempted in order that a basis of rates common with that applying in adjacent territory may be available to the shipping public.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Appendix "A" of Decision No. 30021, as amended, in the above entitled proceedings, be and it is hereby further amended by adding subparagraph 12, to Rule No. 10(b) of said Appendix "A" as follows:

"(12) Fresh or green fruits, fresh or green vegetables, or mushrooms, when the point of destination of the shipment is a cannery, packing plant, packing shed, precooling plant or processing plant; nor to the empty containers used or shipped out for use in connection with such transportation."

IT IS HEREBY FURTHER ORDERED that tariff filings herein authorized to be made by common carriers may be made effective on not less than one (1) day's notice to the Commission and to the public if published to become effective within thirty (30) days from the date hereof.

¹ By Decision No. 33977 of March 11, 1941, as amended, in Case No. 4293, the Commission established minimum rates for such transportation, between points in Imperial, San Diego, Riverside, San Bernardino, Orange, Los Angeles, Ventura and Santa Barbara Counties; and between points in those counties and San Francisco Bay area points.

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 30021, as amended, shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 7th day of October, 1941.

W. J. Barry
W. J. Barry
Justice J. Cassen
Francis R. Havenue
Richard Wachs
Commissioners