

ORIGINAL

Decision No. 39351

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of rates, rules, classifications and regulations for the transportation of property within the City and County of San Francisco.)
)
) Case No. 4084
)
)

In the Matter of the Establishment of rates, rules, classifications and regulations for the transportation of property within the County of Los Angeles.)
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) Case No. 4121
)
)

In the Matter of the Establishment of rates, rules and regulations for the transportation of property by common carriers as defined in the Public Utilities Act and highway carriers as defined in the Highway Carriers' Act.)
)
) Case No. 4246
)
)

In the Matter of the Establishment of rates, rules and regulations for the transportation of property by carriers as defined in the City Carriers' Act.)
)
) Case No. 4434
)
)

SUPPLEMENTAL OPINION AND ORDER

Minimum rates, rules and regulations for the transportation of property within the San Francisco, Los Angeles and San Diego drayage areas, and between points in California generally have been prescribed by prior orders in these proceedings.¹

By petition, Western Union Telegraph Company, which provides a so-called "messenger errand service" in the San Francisco, Los Angeles and San Diego drayage areas under its city and radial highway common carrier permits, seeks exemption from the additional

¹ Decision No. 28632, as amended, in Case No. 4084, established the San Francisco drayage rates; Decision No. 32504, as amended, in Case No. 4121, the Los Angeles rates; Decision No. 35055, as amended, in Cases Nos. 4246 and 4434, the San Diego rates; and Decision No. 31606, as amended, in Case No. 4246, the statewide line-haul rates.

charges prescribed for collect-on-delivery (C.O.D.) shipments and based on the amounts collected.

Petitioner alleges that it is occasionally requested by patrons of its messenger service to make collections; that it considers this a part of the errand operation; and that in many instances the amount of such collection is not a matter of its knowledge or record.

It appears that the minimum charges for collect-on-delivery shipments were not primarily designed to be applicable to the type of transportation service in question and that in view of the character of this service the sought exemption is justified.

Certain common carriers have filed petitions seeking authority to extend their pickup and delivery zones at Anderson, Eureka, Manteca and Ukiah beyond the boundaries prescribed by Decision No. 31606, as amended, in Case No. 4246.² They propose to apply rates now in effect to and from these communities throughout the enlarged zones.

The verified petitions show that the proposed extensions embrace areas which are contiguous to and constitute a part of the industrial development of each of the respective communities; that they are within three miles of the post office in the unincorporated community of Anderson and of the corporate limits of Manteca, Eureka and Ukiah; that shippers located in the areas involved have requested pickup and delivery service; and that there are no industries or persons similarly situated in these communities

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The petitioners and the communities at which they desire this authority are: Southern Pacific Company and Pacific Motor Trucking Company at Anderson; Tidewater Southern Railway, Southern Pacific Company and Pacific Motor Trucking Company at Manteca; Northwestern Pacific Railroad Company and Pacific Motor Trucking Company at Ukiah; and Northwestern Pacific Railroad Company at Eureka. The petitions were filed July 26, 30 and 31, and August 5, 1946, respectively.

which are not now receiving comparable service. Competing carriers have been notified of the filing of the petitions and have offered no objection thereto.

It appears that these are matters in which public hearings are not necessary and that the petitions should be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the aforesaid petitions be and they are hereby granted.

IT IS HEREBY FURTHER ORDERED that petitioners Northwestern Pacific Railroad Company, Pacific Motor Trucking Company, Southern Pacific Company and Tidewater Southern Railway be and they are hereby authorized to establish, for the transportation involved, rates less than the minimum rates prescribed by Decision No. 31606, as amended, in Case No. 4246, but not less than those prescribed for like transportation from and to Anderson, Manteca, Ukiah and Eureka; that tariffs filed pursuant to this authorization may be made effective on not less than five (5) days' notice to the Commission and to the public; and that the authority herein granted shall be void unless exercised within ninety (90) days from the effective date of this order.

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

Dated at Los Angeles, California, this 27th day of August, 1946.

Harold J. Kula
Justice J. Calver
James W. [unclear]
John W. [unclear]
R. J. [unclear]
 Commissioners