

Decision No. 40692**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

SUPPLEMENTAL OPINION AND ORDER

Pacific Motor Trucking Company and Southern Pacific Company are common carriers serving Merced and San Leandro. Common carrier service is also provided at Merced by The Atchison, Topeka and Santa Fe Railway Company and at San Leandro by The Western Pacific Railroad Company. The carriers seek authority to enlarge their pickup and delivery zones at these cities and to apply their Merced and San Leandro rates throughout the enlarged zones. The elimination of an area adjacent to San Leandro from the pickup and delivery zone for that city is also sought.

Merchants Parcel Delivery, a highway contract carrier operating a parcel delivery service between San Francisco and points in the bay area, requests exemption from the established minimum rates on parcels weighing 100 pounds or less.

The verified petitions relating to the pickup and delivery zones show that certain industries and business houses located within the areas proposed to be added to the existing zones have requested pickup and delivery service; that these areas are in each case contiguous to and a part of the industrial and commercial development of the cities in question; that petitioners desire to

accord service and rate parity to all persons and industries situated within the industrial and commercial areas of each community; and that there are no other persons similarly situated not now receiving like service. They also show that the proposed extensions are within three miles of the corporate limits of each city; and that, since the distances involved are relatively short, deviations from the minimum rates resulting from the proposed re-zoning will be slight.

The area proposed to be eliminated from the San Leandro pickup and delivery zone is within the corporate limits of Oakland and included within the carriers' pickup and delivery limits of that city. No industries or business establishments are situated in the area in question.

Competing common carriers have been notified of the filing of these petitions and have offered no objection to their being granted.

It appears that the sought authority is justified. The petitions will be granted.

The petition of Merchants Parcel Delivery alleges that its operations are identical with those of other parcel delivery carriers heretofore granted minimum rate exemption for shipments of 100 pounds or less. Like exemption should be granted this petitioner.

Public hearings are not necessary. ✓

Therefore, good cause appearing,

IT IS HEREBY ORDERED that petitioners be and they are hereby authorized to adjust their pickup and delivery zones at San Leandro and Merced, as requested, and to establish for transportation to and from the additional territories involved, within sixty (60) days from the effective date of this order and on not

less than five (5) days' notice to the Commission and to the public, rates less than the minimum rates prescribed by Decision No. 31606, as amended, in this proceeding, but not less than those prescribed for like transportation from and to San Leandro and Merced.

IT IS HEREBY FURTHER ORDERED that Decision No. 31606, as amended, in Case No. 4246, be and it is hereby further amended by adding Merchants Parcel Delivery, a corporation, to the carrier listed in paragraph (a) of Finding No. 14.

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

Dated at Los Angeles, California, this 16th day of September, 1947.

Harold D. Kels

Justus F. Quiver

Earl H. Howell

A. T. Johnson

Commissioners