

Decision No. 40841

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 WALKUP DRAYAGE & WAREHOUSE COMPANY,)
 a corporation, for authority to de-)
 part from the rates, rules and regu-) Application No. 28758
 lations of Highway Carriers' Tariff)
 No. 2 under the provisions of the)
 Highway Carriers' Act.)

OPINION AND ORDER

Applicant is a city and highway contract carrier. It seeks authority to deviate from the minimum rates prescribed for the transportation of iron and steel structural materials and babbitt metal. The sought authority is proposed to be limited to shipments from the Emeryville plant of Joseph T. Ryerson & Son, Inc. to points in the so-called "San Francisco-Oakland free delivery zone" established by the steel companies for sales purposes and extending from Richmond through Oakland and San Francisco to San Jose.

Minimum vehicle-unit rates, stated in dollars per month and varying with the capacity of the equipment, are now provided for transportation within Emeryville and from Emeryville to other points in the East Bay drayage area.¹ To points outside of that area, the minimum rates are stated in cents per 100 pounds and vary with the weight of the shipment and the length of the haul. Applicant proposes monthly vehicle-unit rates higher than the

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The East Bay drayage area consists of the cities of Emeryville, Oakland, Alameda, Albany, Berkeley and Piedmont.

drayage rates for transportation throughout the "free delivery zone"². The proposed rate basis includes provisions for additional charges when equipment is operated in excess of 1,050 miles per month, when stand-by service only is performed and for operations during other than regular working hours.

The verified application shows that the transportation in question requires the exclusive use of special equipment; that expedited service is required; that the material is difficult to handle and its safe transportation demands trained personnel; that because of the nature of this traffic rates in cents per 100 pounds are not satisfactory; that the proposed rates higher than the minimum drayage rates will be compensatory; that either a specialized for-hire carrier delivery service such as that here contemplated or similar proprietary operations are needed to meet the shipper's transportation requirements; and that by Decision No. 40388 of June 10, 1947, in Application No. 27769, Signal Trucking Service, Ltd. was granted authority similar to that here sought in connection with transportation from Ryerson's plant in Los Angeles County to points in Los Angeles, Orange and San Diego Counties under substantially like circumstances.

Competing carriers have been notified of the filing of the application and have offered no objection to its being granted.

It appears that this is a matter in which a public hearing is not necessary and that the sought authority to deviate from the minimum rates is justified. We are of the opinion and hereby find

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For equipment of 12,000-pound capacity, a rate of \$577.66 is proposed in place of the minimum rate of \$542.89. In lieu of the minimum rate of \$576.83 for equipment of over 15,500-pound capacity, applicant proposes rates of \$626.16, \$683.70, \$689.62 and \$725.54, for equipment of designated capacities and types. This equipment is described in Appendix "A" hereof.

that the proposed rates are reasonable for the service in question under current conditions. Inasmuch as these conditions may change at any time, the authority will be limited to a period of one year and made subject to earlier cancellation, modification or extension by order of the Commission.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Walkup Drayage & Warehouse Company be and it is hereby authorized to transport iron and steel structural material and babbitt metal for Joseph T. Ryerson & Son, Inc. at the rates and subject to the rules, regulations, conditions and restrictions set forth or specifically referred to in Appendix "A" attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire one (1) year from the effective date of this order, unless sooner cancelled, changed or extended by order of the Commission.

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

Dated at Los Angeles, California, this 28th day of October, 1947.

Harold A. Hule
Justus F. Coe
R. J. [unclear]
Herbert [unclear]
 Commissioners

APPENDIX "A" TO DECISION NO. 40841
 RULES, REGULATIONS, CONDITIONS AND RESTRICTIONS

1. Rates named herein are subject to the provisions of Decision No. 29217, as amended, in Cases Nos. 4108 and 4109, with respect to charges for handling C.O.D. shipments and apply from Emeryville plant of Joseph T. Ryerson & Son, Inc., to points in the territory set forth in Exhibit "B" to the application herein filed October 2, 1947 which is hereby referred to and by this reference made a part hereof.

2. Walkup Drayage & Warehouse Company shall issue, for each vehicle furnished, a shipping document containing a certification that during the period covered by the document the vehicle was operated only in transportation service for which rates are provided by this decision (or full explanation of other operations, with reference to shipping documents covering), showing rates and charges assessed, and containing all such information respecting each of the factors entering into the computation of the charges as may be necessary to verify the lawfulness of the charges assessed. Walkup Drayage & Warehouse Company shall retain and preserve a copy of each such shipping document, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance.

<u>Equipment</u>	<u>Load Capacity (in pounds)</u>	<u>R A T E S</u> (See Note 2)		
		<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Truck	12,000	\$577.66	13	\$3.58
Truck	16,000	626.16	14½	5.14
Truck	20,000	683.70	17	--
Tractor with Flat Bed Trailer	20,000	689.62	17½	--
Tractor with Flat Bed Trailer	36,000	725.54	18½	--

Column 1. - Rates in dollars and cents per unit of carrier's equipment per calendar month for service exclusive of Saturdays, Sundays or holidays (See Note 1).
 When equipment is operated in excess of 1050 miles

per calendar month, add rates provided in Column 2. Rates include service of driver only and do not include bridge or ferry tolls.

Column 2. - Rates in cents per mile to be added to Column 1 rate when unit of carrier's equipment is operated in excess of 1050 miles per calendar month. Rates include service of driver only and do not include bridge or ferry tolls.

Column 3. - Rates in dollars and cents per day, except Saturdays, Sundays and holidays (see Note 1), when equipment is not operated but used in "stand-by" service.

Note 1. The term "holiday" means New Year's Day, Washington's Birthday, Decoration Day, Independence Day, Labor Day, Admission Day, Thanksgiving Day and Christmas Day.

Note 2. For service performed at other than regular working hours, a charge equivalent to the additional wages plus 10 per cent shall be assessed.

End of Appendix "A"