

**ORIGINAL**

Decision No. 40655

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment )  
of rates, rules, classifications )  
and regulations for the transporta- )  
tion of property within the City )  
and County of San Francisco. )

Case No. 4084

Appearances

Russell Bevans, for Draymen's Association  
of San Francisco.  
Ed Hubber, for Farnsworth & Ruggles, Inc.  
Edward P. White, for G. A. worth & Co.  
Burt K. Brown, for Remington-Rand, Inc.

SUPPLEMENTAL OPINION AND ORDER

Minimum rates, classifications, rules, and regulations for the transportation of property within the City and County of San Francisco are set forth in City Carriers' Tariff No. 1-A (Appendix "A" to Decision No. 41363, as amended, in this proceeding). The tariff contains class rates governed by the classification ratings of the Western Classification and by the exceptions specified in the tariff. The exceptions include ratings of one and one-half times 1st Class for "Cabinets, N.O.S." and 2nd Class for "Plumbers' Goods, N.O.S." and "Safes."<sup>1</sup> Questions having arisen relative to the ratings applicable to "shower cabinets" or "shower baths" and "safe-cabinets" or "safe-files," a public hearing was scheduled for the receipt of evidence relating to the classification of those articles. The hearing was had at San Francisco before Examiner Mulgrew.

Shower cabinets consist of panels, fittings, accessories and parts which, when assembled, constitute completely equipped shower baths. The installation involves connecting them with a water supply and with drainage facilities. They are advertised and sold as shower cabinets. There is no indication that these articles are known or considered as plumbers' goods by those concerned with their manufacture, distribution or installation.

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<sup>1</sup>"N.O.S." is used in the tariff as an abbreviation for "not otherwise specified."

Safe-cabinets or safe-files are filing cabinets for office records differing from other such articles only in that they are designed and constructed to afford resistance to destruction of the contents by fire. Their appearance is identical with that of filing cabinets which are not insulated or otherwise constructed to be fire resistant. In referring to tests of "an ordinary steel file cabinet" and "a safe-file," the manufacturer speaks of the condition of "both cabinets" and their contents. The fire resisting cabinets or files, advertised and sold as safe-files and safe-cabinets, are described as steel file cabinets on bills of lading covering their shipment to San Francisco by railroad. None of the evidence of record suggests that these articles are known as safes to the trade. On the contrary, it appears that they are considered a particular type of file cabinet.

In regard to classification descriptions the Interstate Commerce Commission has held that "terms must be taken in the sense in which they are generally understood and accepted."<sup>2</sup> That Commission has also held that when descriptions are not specific "the meaning that is understood commercially should be applied."<sup>3</sup> It is, moreover, well-settled that for transportation rate purposes "ordinary and popular meanings must give way to accepted trade meanings."<sup>4</sup>

There is no basis on this record for concluding that shower baths or shower cabinets are known as plumbers' goods, or that safe-cabinets or safe-files are known as safes. Indeed, the evidence of record indicates that the commercial designations of these articles are shower cabinets and filing cabinets, respectively. It follows that the cabinet rating and rates, not the plumbers' goods and safe

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<sup>2</sup>Twin Coach Corp. v. Erie R. Co. 203 I.C.C. 393-5 (1934).

<sup>3</sup>A. Weiskittel & Sons Company v. Baltimore & Ohio Railroad Company, et al., 136 I.C.C. 39-40 (1927).

<sup>4</sup>Decision No. 38195, 46 C.R.C. 21-24 (1945).

ratings and rates, are applicable under the tariff as it now stands. So that any further controversies may be avoided, specific exception descriptions and ratings will be incorporated in the tariff.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that City Carriers' Tariff No. 1-A

(Appendix "A" of Decision No. 41363, as amended, in this proceeding) be and it is hereby further amended by incorporating therein the revised pages attached hereto and by this reference made a part hereof to become effective February 1, 1950, which pages are numbered as follows:

- Second Revised Page 3 cancels First Revised Page 3
- Third Revised Page 4 cancels Second Revised Page 4
- First Revised Page 7 cancels Original Page 7
- Third Revised Page 26 cancels Second Revised Page 26
- First Revised Page 31 cancels Original Page 31

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

Dated at San Francisco, California, this 4<sup>th</sup> day of January, 1950.

*R. J. [Signature]*  
*Justus F. [Signature]*  
*[Signature]*  
*Harold P. [Signature]*  
*[Signature]*  
 Commissioners

INDEX OF COMMODITIES

Only those articles which are named in commodity items or in Exceptions to the Western Classification are shown in the following list.

Commodity	Item Number	Commodity	Item Number
Acids	280	Bottles, Glass	280
Adding Machines	280	Box Shooks	280
Adding Machine Stands	280	Boxes	690
Advertising Matter	280	Boxes, Egg	280
Agricultural Implements	280	Boxes, Paper	280
Alcohol	280	Bran	280
Ammonia	280	Brass	280
Ammunition	280	Brass or Copper, Bars or Ingots	280
Anchors	280	Brick	380,520
Apples	610,700	Broom Corn	280
Artichokes	660	Broom Handles	280
Asbestos	280	Brooms	280
Asparagus	660	Bullion	520
Athletic Goods (See Sporting Goods)		Burial Cases, Caskets or Coffins	280
Automobile Fenders	280	Burlap	280,520
Automobile Accessories and Parts, N.O.S.	280	Butter	280
Avocados	620	Cabbage	660
Awnings and Fixtures (See Tents)		Cabinets, N.O.S.	280
Babbitt Metal, Bar, Pig or Slab	280	*Cabinets, File	280,460
Bagging and Bags	280,520	*Cabinets, Shower	330
Bags	280,520	Cake, Oil	520
Bananas	620	Candy and Confectionery	280
Barber's Chairs	280	Cans	280
Barrels	280	Cantaloupes	640
*Baths, Shower	330	Canvas	280
Batteries	280	Caps, Bottle or Jar	280
Battery Boxes	280	Carbon	280
Batting, Cotton	280	Carpot	280
Beans	280,520	Carpot Lining	280
	660	Carpot Sweepers	280
Beaver Board	280	Carriages, Baby	280
Beets	660	Carriers	280
Belting	280	Carrots	660
Berries	610	Casabas, Melons	640
Beverages, Non-alcoholic, N.O.S.	280	Cases, Transfer	460
Bicycles	280	Castings	280
Bird Food or Seed	280	Celery	660
Blackboards	280	Celluloid Goods	280
Blocks, Butcher	280	Cement	280
Blood Meal	520	Cereal Food Preparations	390
Boats	280	Cereal Products	520
Boiler Compound	280	Cereals, Prepared	290,520
Boiler Tubes	280	Chain, Iron or Steel	280
Boilers, Range	280	Chairs	460
Bone Meal	520	Chalk	290
Boots and Shoes	280	Charcoal	290
Boots and Shoe Findings	280	Cheese	290

\* Change, Decision No. 40885

EFFECTIVE FEBRUARY 1, 1950

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Correction No. 99

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity items or in  
 Exceptions to the Western Classification are shown in the following list.

Commodity	Item Number	Commodity	Item Number
Chemicals	290	Drill, Cotton	290
Chicory	290	Drugs and Chemical Houses	290
Chips, Soap	510	Drugs or Medicines, N.O.S.	290
Chocolate	290	Duck, Cotton	290
Cigars and Cigarettes	290	Dyes	290
Cloth and Clothing	290		
Cloth, Shade	330		
Cocconuts	620	Egg Case Fillers	300
Coffee, Green	400, 410,	Eggs	300
	520	Electric Globes or Shades	300
Coffee, Roasted	290	Electrical Appliances	300
Collars, Cloth	290	Enamelware	300
Conduit	290	Excelsior	300
Confectioners' Supplies	290	Explosives	300
Containers, Empty	690	Extracts	300
Copper	280		
Cooperage Stock	290		
Copra	290, 520	Feathers	300
Cordage	290	Feed	300, 390,
Corduroy, Cotton	290		520
Cork	290	Fence Material	300
Corn	660	Fertilizers	300, 520
Corn Grits	390	*File Cabinets	280, 460
Corn Husks	290	Files, Letter	460
Costumers	460	Fire Escapes	300
Cotton	290, 520	Fire Extinguishers	300
Cranberries	610	Fire Works	300
Crates	690	Fish	300
Crockery	290	Fish Meal	520
Cucumbers	660	Fixtures, Gas and Electric	300
Curtain Poles or Rods	290	Floss	300
Cutlery	290	Flour	290, 390,
Cylinders	290, 520		520
		Flue Lining	300, 520
Dairy and Dairy Products		Forms, Display	300
Companies	290	Freezers	300
Dates	290	Freight	425, 520
Denim, Cotton	290	Fruit, Canned, Dried or Glazed	300
Desks	290, 460	Fruit, Fresh, N.O.S.	620
Dessert Preparations	290	Furnaces	390
Disinfectants	290	Furniture, N.O.S.	300
Dog Biscuits	290	Furniture, Printers	320
Doors	290	Furniture Polish	300
		Furniture Stock	300

\* Change, Decision No. **40605**

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Correction No. 100

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity items or in Exemptions to the Western Classification are shown in the following list.

Commodity	Item Number	Commodity	Item Number
Radiators	320	Spaghetti	310
Radios	320	Spices	330, 410
Rags	520	Spikes	330
Rails, Iron or Steel	320	Split Peas	520
Ranges	330	Sponges	330
Rattan	320	Sporting Goods	330
Refrigerators	320	Springs	330
Rhubarb	670	Squash	670
Rice	320, 500	Stands, Telephone	460
	520	Starch	330
Rice Mill Products	500	Stationery	330
Rope	320	Steamship Transfer	520
Rosin	320	Stove Castings or Parts	330
Rubber	320	Stoves	330
Rugs	320	Straw	690
		Sugar	330, 520, 530
Safes and Parts	320		
Salt	330, 520	Suitcases and Handbags	330
Salt peter	320	Sulphur	330
Sand	330, 520	Surgical Dressings	330
Sandpaper	330	Surveying Instruments	330
Sash, Steel	330	Sweeping Compound	330
Sash Weights	330	Syrup	330
Sausage Casings	330		
Saws	330	Table Sauces	330
Scales	330	Tables	460
Scouring Compound	330	Talc	330
Screens, Window	330	Tallow	330
Seeds, N.O.S.	330, 520	Tangerines	600
Sewing Machines or Parts	330	Tar Products, N.O.S.	330
Shade Cloth	330	Telephone Stands	460
Shades, Cloth or Roller	330	Tents, Awnings and Fixtures	330
Sheeting, Cotton	290	Terra Cotta	330
Shells	330	Thread	330
Shingles	330	Ties, Railroad	330
Ship Chandlery, N.O.S.	330	Tile	330, 520
Shirts	330	Tin	330
Shoddy	330	Tin Plate	330
Shoes	280	Tinware	330
*Shower Baths or Shower Cabinets	330	Tires, Pneumatic	330
Silica	330	Tobacco	330
Silk	520	Toilet Articles, N.O.S.	330
Sisal	330	Toilet Preparations, N.O.S.	330
Slate	330	Tomatoes	670
Soap, Soap Powder or Soapchips	330, 510	Tools, Garden	330
Soda, Caustic	330	Tops, Glass, Desk or Table	460
Soda Fountain Supplies or Parts	330	Toys and Games, N.O.S.	330
Solder	330		

\* Change, Decision No. 4365

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Correction No. 101

Cancels

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)			
	EXCEPTIONS TO WESTERN CLASSIFICATION (Continued)			
	Articles	Rating	Article	Rating
	Acids:		Blackboards:	
	In glass	1	In boxes or crates	3
	In barrels or metal containers	3	Loose	1
	Adding Machines:		Blocks, Butcher	3
	In boxes	1½	Boats, min. wt. 500 lbs.	DL
	Loose, O.R.	DL	Boiler Compound	3
	Adding Machine Stands	DL	Boiler Tubes	3
	Advertising Matter in barrels, boxes or bundles	2	Boilers, Range	2
	Agricultural Implements:		Boots and Shoes	1½
	S.U.	1½	Boot and Shoe Findings	2
	K.D.	2	Bottles, glass	3
	Alcohol	1	Box Shooks; Wooden	3
	Ammonia:		Boxes, Egg, Pulpboard containing moulded compartments	1½
	In glass	2	Boxes, Paper:	
	In cylinders or drums	3	K.D.	2
	Ammunition	3	S.U.	DL
	Anchors N.O.S.	3	Bran in sacks	3
	Anchors weighing each over 2000 lbs.	1	Brass or Copper:	
	Asbestos:		In bundles or crates	3
	In cases	2	Bars or ingots	3
	Loose	1½	Brick, loose or in packages	4
*280-C	Athletic Goods (See		Brooders or incubators:	
Cancels	Sporting Goods)		S.U.	1½
280-B	Automobile Fenders	1½	K.D.	2
	Automobile Accessories and Parts, N.O.S.	2	Broom Corn in bales	1
	Awnings and Fixtures (See Tents)		Broom Handles	2
	Babbitt Metal, Bar, Pig, or Slab	1	Brooms in bundles	1
	Bagging and Bags, old N.O.S.	3	Burial Cases	1
	Barbers' Chairs	1	Burial Caskets or Coffins	1½
	BARRELS:		Burlap and Bags in compressed bales	4
	Beer	3	Butter in cartons	3
	Wine	1½	△ Cabinets, File, insulated or fire resistant	1½
	Other than beer or wine	DL	△ Cabinets, File, not insulated or fire resistant	1½
	Batteries:		Cabinets N.O.S.	1½
	Other than dry:		Candy and Confectionery N.O.S.	3
	In cases	2	CANS OR PAILS:	
	Loose	1	Empty, N.O.S.	1
	Battery Boxes	1½	Milk or Oil, in crates	1½
	Battling, Cotton	1	Canvas, Cotton or Duck	3
	Beans; Cocoa	4	CAPS FOR BOTTLES OR JARS:	
	Beans, dried, N.O.S.		Aluminum	1
	In mats or bags	4	N.O.S.	3
	Beans, Vanilla	1	Carbide	3
	Beaver Board:		Carbon, Arc Light or Battery	3
	In boxes or crates	3	Carpet	1
	Loose	1	Carpet Lining in bales or boxes	2
	Belting	3	Carpet Sweepers in boxes or crates	1
	Beverages, non-alcoholic, N.O.S.	3	CARRIAGES, BABY:	
	Bicycles, in boxes or crates	DL	S.U.	DL
	Bird Food or Seed, in packages	4	K.D. in crates	1½
			Go-carts - S.U.	1½
			K.D. in crates	1
			Carriers (Ale, Beer, Porter, Stout, Wine) empty, returning	3
			Castings, N.O.S.	3
			Celluloid Goods	1
			CEMENT:	
			Building	4
			Liquid	3

\* Change )  
△ No increase or reduction ) Decision No. 43853

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SECTION NO. 1--RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
EXCEPTIONS TO WESTERN CLASSIFICATION (Continued)	
Item No.	Rating
Article	Rating
Sash Weights	4
Sausage Casings	3
Saws	1
Scales:	
K. D. in boxes	2
S. U.	1½
Scouring Compound	3
Screens, window	2
Seeds, N.O.S.:	
In sacks	4
In boxes	3
Sewing Machines or Parts in boxes	1
Shades, Cloth or Roller, N.O.S.	2
Shade Cloth	3
Shells in bags	3
Shingles:	
Asbestos or Paper	3
Wood in bundles	2
Ship Chandlery, N.O.S.	2
Shirts, in cartons	1
Shoddy:	
In compressed bales	3
In bags	2
Shoes (See Boots and Shoes)	
△ Shower Baths or Shower Cabinets	1½
Silica	4
Sisal, in bales	2
Slate:	
In boxes	2
Loose	1
Soap, Soap Powder or Soap Chips	3
Soda, Caustic	4
Soda Fountain Supplies or Parts	
K. D. in boxes	1
Solder	4
Spices N.O.S.:	
In bulk in barrels or boxes	3
Other than in bulk in barrels or boxes	2
Spaghetti (See Macaroni)	
Spikes	4
Sponges, in bales	D1
Sporting Goods N.O.S.	1
Springs:	
Auto and Wagon	3
N.O.S.: In bales or bundles	2
In boxes	3
Starch N.O.S.	4
Stationery, N.O.S.	2
Stove Castings, or parts, loose or in boxes	2
Stoves or Ranges:	
Coal, in crates	1
Electric or Gas, in crates	1
Gasoline or Oil, in crates	1½
Gasoline Camp K. D.	1½
Sugar N.O.S.	4
Suit Cases and Hand Bags:	
New in boxes	1½
Loose	D1
Sulphur	4
Surgical Dressings	1
Surveying Instruments	1
Sweeping Compound	3
Syrup	4
Table Sauces:	
In packages each weighing less than 30 lbs.	3
In packages each weighing 30 lbs. and over	4
Talc	3
Tallow	4
Tar Products N.O.S.	4
Tents, Awnings and Fixtures, K.D.	1
Terra Cotta:	
In crates	2
Loose	1
Thread	1
Ties, Railroad	3
TILE:	
Hollow Building	4
N.O.S.: In barrels, boxes or crates	3
Loose	1
Tinware, N.O.S.:	
In crates	1
Nested	2
Tin, in pigs, or Tin Plate	4
Tires, Pneumatic	1½
Tobacco:	
In casks	3
In cases or cartons	2
Toilet Articles N.O.S.	1
Toilet Preparations N.O.S.	2
Tools, Garden (Shovels, Rakes, Hoes, etc.)	3
Toys and Games N.O.S.	1½
Toys, Iron or Steel	1
Trees, Christmas	1
Trucks, hand	1
Truck Platforms	1
Trunks, new	1½
Tubes, Boiler (See Boiler Tubes)	
Turpentine	4

\*320-A  
 Cancels  
 330

\* Change  
 △ No increase or reduction) Decision No. 42555

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