



Public hearing in this matter was had before Examiner Lake at San Francisco on April 17, 1950.

From San Francisco to points in the counties herein involved the minimum rates are stated in cents per 100 pounds. They vary with the classification of the article, the weight of the shipment and the length of haul. Rates for this service are set forth in Highway Carriers' Tariff No. 2. The monthly unit rates herein sought to be applied are stated in dollars per month and vary with the carrying capacity of the equipment. When the equipment is operated in excess of the mileage authorized under the monthly rate, or when the equipment is operated at other than regular working hours, additional charges specifically provided therefor must be assessed.

A witness for the shipper testified that the authority herein sought was necessary in order to meet the demands of customers and the competition of other dealers. He stated that the nature of his company's business required expedited service; that its products must be delivered within the same day, and often within one hour of the time the order is received. The character of the transportation service necessary efficiently to conduct this business, he said, was such that the company must have complete control over the routing of the shipments and the loading and dispatching of the equipment. The witness alleged that the transportation service required could not be accorded by scheduled common carriers. He pointed out that his company's business was highly competitive and that the majority of its competitors maintained control of their shipments and afforded expedited service by means of proprietary trucking operations.

Applicant's treasurer testified that the operations to the territory herein involved would be conducted in the same type of specially designed equipment with which the San Francisco operations

are conducted. He stated that the drayage operations under the monthly unit rates had been and were fully compensatory. He asserted that the revenues that would result from the proposed rates would be as great as, or greater than, those which accrue from the drayage operations. Fixed costs in the extended area would be the same. However, they would be distributed over a greater mileage. Because of the more favorable operating conditions prevailing in the larger territory variable costs would be somewhat less per mile than encountered in San Francisco. The authority as herein sought has been granted to another carrier for the same transportation. Moreover, similar authority has been accorded under almost identical circumstances in connection with transportation in southern California.<sup>2</sup>

Upon careful consideration of all of the facts and circumstances of record, the Commission concludes and finds as a fact that the rates and charges proposed in this proceeding have been shown to be reasonable within the meaning of Section 11 of the Highway Carriers' Act. The application will be granted. Due to the fact that the conditions which justify authorization of the sought rates may change at any time, the authority will be limited in duration to a period of one year.

O R D E R

This application having been duly heard and submitted, full consideration of the matters and things involved having been had, and based upon the conclusions and findings in the preceding opinion,

---

2

Decision No. 43422 of October 16, 1949 in Application No. 30583 and Decision No. 43241 of August 29, 1949 in Application No. 30451.

IT IS HEREBY ORDERED that:

1. Daniel Gallagher Teaming, Mercantile and Realty Company, be and it is hereby authorized to transport, for United States Steel Supply Company, aluminum, iron or steel articles, viz.: Bars, plates, sheets, strips, structural shapes, tubing; iron or steel wire and wire rope; and aluminum roofing accessories at rates and charges which differ from those heretofore established as minimum, but no lower than those set forth or specifically referred to in Appendix "A", which is attached hereto and by this reference made a part hereof.

2. The authority herein granted shall expire one (1) year after the effective date of this order, unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 16<sup>th</sup> day of May, 1950.

R. B. [Signature]  
Justice J. Calvey  
[Signature]  
Harold H. Kule  
[Signature]  
Commissioners

APPENDIX "A"  
TO DECISION NO. 44187

RATES, RULES AND REGULATIONS

The rates authorized by this decision are subject to the following rules, regulations, conditions and restrictions:

1. Rates apply only for the transportation of aluminum, iron or steel articles, viz.: Bars, plates, sheets, strips, structural shapes, tubing; iron or steel wire and wire rope; and aluminum roofing accessories; for United States Steel Supply Company within San Francisco and from San Francisco to points within the Counties of Alameda, Contra Costa, Marin, Napa, Sacramento, San Joaquin, San Mateo, Santa Clara, Solano, Sonoma, Stanislaus and Yolo, and for the return movement of rejected shipments.

2. Rates are subject to Items Nos. 10(d), 100, 110, 120, 130, 190 and 550(d) (Appendix "A" to Decision No. 41363, of March 23, 1948, as amended, in Case No. 4084). C.O.D. charges will not apply when collection is remitted to shipper by driver without other handling by or recourse to carrier.

3. Daniel Gallagher Teaming, Mercantile and Realty 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. Daniel Gallagher Teaming, Mercantile and Realty Company shall retain and preserve a copy of 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.

(Continued)

APPENDIX "A"  
 TO DECISION NO. 44157 (Concluded)

RATES, RULES AND REGULATIONS

Capacity of Carrier's Equipment in Pounds		Column 1	Column 2	Column 3
Over	2,500 or less . . . . .	444	523	8½
"	2,500 but not over 4,500 . . . . .	502	594	12
"	4,500 " " " 6,500 . . . . .	560	651	13
"	6,500 " " " 15,500 . . . . .	605	709	15
"	15,500 " " " 20,500 . . . . .	695	805	17
"	20,500 . . . . .	791	908	20

COLUMN 1 - Rates per month in dollars per unit of carrier's equipment for service exclusive of service on Saturdays, Sundays and Holidays. When equipment is operated in excess of 1,050 miles per month, add rates shown in Column 3.

COLUMN 2 - Rates per month in dollars per unit of carrier's equipment for service including service on Saturdays, Sundays or Holidays, subject to the additional charges provided for by Item No. 100 series. When equipment is operated in excess of 1,250 miles per month, add rates shown in Column 3.

COLUMN 3 - Rates in cents per mile to be added to the Columns 1 and 2 rates when the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.

Note - Bridge or Ferry tolls shall be added to the transportation charge when such facilities are used by the carrier.

(End of Appendix "A")