

Decision No. 45475

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)
radial highway common carriers and)
highway contract carriers between,)
and by city carriers within, the)
cities of Oakland, Alameda, Albany,)
Berkeley, Emeryville and Piedmont.)

Case No. 4108

ORIGINAL

In the Matter of the Investigation)
and Establishment of rates, charges,)
classifications, rules, regulations,)
contracts and practices of East Bay)
Drayage and Warehouse Co., et al.,)
between the cities of Oakland,)
Alameda, Albany, Berkeley, Emeryville)
and Piedmont.)

Case No. 4109

Appearance

Daniel Baker, for Draymen's Association
of Alameda County, petitioners.

SUPPLEMENTAL OPINION

By petitions filed December 29, 1950 and January 30, 1951,
the Draymen's Association of Alameda County seeks modification and
clarification of the zones from and to which the rates, rules and
regulations for the transportation of property within the East Bay
drayage area apply.

Public hearing was held before Examiner Lake at San Francisco
on February 27, 1951.¹

Minimum rates for drayage operations within and between
East Bay cities are primarily covered in City Carriers' Tariff No.2-A -
Highway Carriers' Tariff No. 1-A. The drayage area is divided into
three zones.² Intrazone rates are generally lower than interzone

¹ The petition filed January 30, 1951, also seeks revision of the
rates applicable to pool shipments of paper and paper articles. At
the request of petitioner, submission of this matter was deferred to
permit the development of additional evidence.

² For a complete description of these zones see Item No. 40 series of
the above-referred to tariff.

rates. Zone One extremities are from the San Leandro-Oakland limits through Oakland, Emeryville and Berkeley to a boundary close to the Berkeley-Albany limits. This zone includes most of the area's industries.

Petitioner asks to include the territory bounded by the Southern Pacific right of way (Railroad Avenue), 85th Avenue, Baldwin Street and Hegenberger Road within Zone One.³ It also seeks clarification of the general zone descriptions so as to provide that the zones include both sides of the streets, boulevards, roads and other thoroughfares named.

The record shows that the territory proposed to be transferred into Zone One is a newly developed industrial area; that traffic conditions are as favorable in this location as in other industrial sections located in Zone One; and that industries situated in the proposed zone are disadvantaged by being required to pay the higher interzone rates while their competitors and other industries are accorded lower intrazone rates.

No one opposed the adoption of this proposal. It is clear that the territory sought to be rezoned is a part of the industrial development of the East Bay drayage area and that establishments situated therein should be competitive with other industries located within the existing Zone One boundaries. The proposal has been justified and will be adopted.

With respect to the matter of clarification, petitioner's witnesses pointed out that streets and other public highways are used as zone boundaries; and that, under the present tariff provisions, some doubt exists as to the application of rates at locations on the boundaries.

³ The area is situated in East Oakland. It comprises about one square block and is presently included within Zone Two.

Item No.	SECTION NO. 1--RULES AND REGULATIONS (Continued)
*40-B Cancels 40-A	APPLICATION OF TERRITORY (Items Nos. 40, 50 and 60 series)
	DESCRIPTION OF ZONES FROM AND TO WHICH RATES APPLY Zones include both sides of streets, boulevards, roads, avenues, highways or rights of way named.
	Description of Zone 1
	ALAMEDA: All of the city of Alameda, except that portion located on Bay Farm Island and the Alameda Airport.
	ALBANY: Beginning at the intersection of the Albany-Berkeley city limits and San Francisco Bay, easterly along the Albany-Berkeley city limits to East Shore Highway; thence northerly along East Shore Highway to the Alameda-Contra Costa county line; thence westerly along the Alameda-Contra Costa county line to San Francisco Bay.
	BERKELEY: Beginning at the intersection of San Francisco Bay and the southerly city limits of Berkeley, easterly along said city limits to College Avenue, thence northerly along College Avenue to Bancroft Way; westerly along Bancroft Way to Dana Street; northerly along Dana Street to Allston Way; westerly along Allston Way to Oxford Street; northerly along Oxford Street to University Avenue; westerly along University Avenue to San Pablo Avenue; northerly along San Pablo Avenue to Harrison Street; thence westerly along Harrison Street to East Shore Highway; thence northerly along East Shore Highway to the Albany-Berkeley city limits; thence westerly along the Albany-Berkeley city limits to San Francisco Bay.
	EMERYVILLE: All of the city of Emeryville.
	OAKLAND: Beginning at the intersection of San Francisco Bay and the northwesterly city limits of Oakland, easterly and northerly along said city limits to College Avenue; thence southerly along College Avenue to Broadway, southerly along Broadway to Mather Street, easterly along Mather Street to Piedmont Avenue; southerly along Piedmont Avenue to Moss Avenue; easterly along Moss Avenue to Vernon Street; southerly along Vernon Street to Santa Clara Avenue; easterly along Santa Clara Avenue to Elwood Avenue; easterly along Elwood Avenue to Grand Avenue; northerly along Grand Avenue to Mandana Boulevard; easterly along Mandana Boulevard to Lake Shore Avenue; southerly along Lake Shore Avenue to Lake Shore Boulevard; southerly along Lake Shore Boulevard to Brooklyn Avenue; easterly along Brooklyn Avenue to Newton Avenue; southerly along Newton Avenue to Park Boulevard, southerly along Park Boulevard to 20th Street; easterly along 20th Street to 14th Avenue; southerly along 14th Avenue to Foothill Boulevard; easterly along Foothill Boulevard to the northwesterly corner of the city limits of San Leandro; southerly along the Oakland-San Leandro city line to the Southern Pacific Company right-of-way (Railroad Avenue); westerly along the Southern Pacific Company right-of-way and Railroad Avenue to 85th Avenue; southerly along

85th Avenue to Baldwin Street; westerly along Baldwin Street to Hegenberger Road; northerly along Hegenberger Road to Southern Pacific Company right-of-way; westerly along Southern Pacific Company right-of-way to 50th Avenue; southerly along 50th Avenue to San Leandro Bay.

* Change)
o Reduction) Decision No. 45475

EFFECTIVE MAY 10, 1951

Issued by the Public Utilities Commission of the State of California,
San Francisco, California
Correction No. 55

Item No.	SECTION NO. 1--RULES AND REGULATIONS (Continued)
	<p style="text-align: center;">DESCRIPTION OF ZONES FROM AND TO WHICH RATES APPLY (Continued) Description of Zone 2</p>
	<p>ALBANY: All of the city of Albany except that portion included in Zone 1. (See Item No. 40 Series.)</p>
	<p>BERKELEY: Beginning at the intersection of East Shore Highway and the Albany-Berkeley city line, easterly and northerly, thence easterly and southerly along the Berkeley city limits to Domingo Avenue; southerly along Domingo Avenue to Ashby Avenue; westerly along Ashby Avenue to Claremont Avenue; southerly along Claremont Avenue to the Berkeley city limits; westerly along the Berkeley city limits to College Avenue; northerly along College Avenue to Bancroft Way; westerly along Bancroft Way to Dana Street; northerly along Dana Street to Allston Way; westerly along Allston Way to Oxford Street; northerly along Oxford Street to University Avenue; westerly along University Avenue to San Pablo Avenue; northerly along San Pablo Avenue to Harrison Street; thence westerly along Harrison Street to East Shore Highway; thence northerly along East Shore Highway to the Albany-Berkeley city line.</p>
<p>*50-B Cancels 50-A</p>	<p>OAKLAND: Beginning at the intersection of Broadway and Broadway Terrace, southerly along Broadway to Mather Street; thence easterly along Mather Street to Piedmont Avenue; southerly along Piedmont Avenue to Moss Avenue; easterly along Moss Avenue to Vernon Street; southerly along Vernon Street to Santa Clara Avenue; easterly along Santa Clara Avenue to Elwood Avenue; easterly along Elwood Avenue to Grand Avenue; northerly along Grand Avenue to Mandana Boulevard; easterly along Mandana Boulevard to Lake Shore Avenue; southerly along Lake Shore Avenue to Lake Shore Boulevard; southerly along Lake Shore Boulevard to Brooklyn Avenue; easterly along Brooklyn Avenue to Newton Avenue; southerly along Newton Avenue to Park Boulevard; southerly along Park Boulevard to 20th Street; easterly along 20th Street to 14th Avenue; southerly along 14th Avenue to Foothill Boulevard; easterly along Foothill Boulevard to Trenor Street; westerly on Trenor Street to Seminary Avenue; northerly on Seminary Avenue to Calaveras Avenue; northerly along Calaveras Avenue to Woodland Avenue; northerly along Woodland Avenue to Mountain Boulevard; northerly along Mountain Boulevard to Sheridan Avenue; northerly along Sheridan Avenue to Redwood Road; westerly along Redwood Road to Mountain Boulevard; northerly along Mountain Boulevard to Broadway Terrace; thence westerly along Broadway Terrace to point of beginning. Also beginning at the mouth of San Leandro Creek in San Leandro Bay, thence easterly along San Leandro Creek to Hegenberger Road; southerly along Hegenberger Road to the Oakland City line; easterly along said city line to Southern Pacific Company right-of-way (Railroad Avenue); westerly along the Southern Pacific Company right-of-way and Railroad Avenue to 85th Avenue; southerly along 85th Avenue to Baldwin Street; westerly along Baldwin Street to Hegenberger Road; northerly along Hegenberger Road to Southern Pacific Company right-of-way; westerly along Southern Pacific Company right-of-way to 50th Avenue; southerly along 50th Avenue to San Leandro Bay.</p> <p>PIEDMONT: All the city of Piedmont.</p>

*Change } Decision No. 45475
Increase }

EFFECTIVE MAY 10, 1951

Issued by the Public Utilities Commission of the State of California,
Correction No. 56 San Francisco, California.

No one opposed the suggested change. The proposed amendment will clarify the zone descriptions and improve the tariff. It has been justified and will be adopted.

O R D E R

Based upon the evidence of record and upon the conclusions and findings set forth in the preceding opinion,

IT IS HEREBY ORDERED that City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A (Appendix "A" of Decision No. 41362, as amended, in these proceedings) be and it is hereby further amended by incorporating therein, to become effective May 10, 1951, the revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

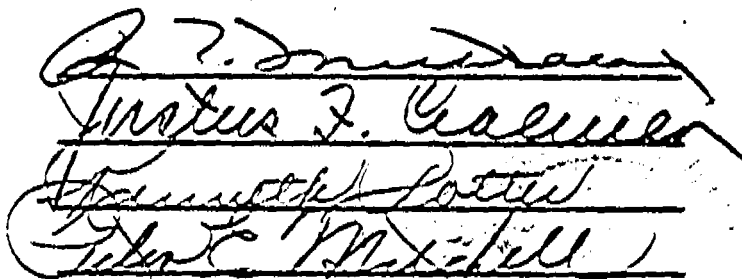
Second Revised Page 13 Cancels First Revised Page 13
Second Revised Page 14 Cancels First Revised Page 14

IT IS HEREBY FURTHER ORDERED that any tariff publications of common carrier respondents in Case No. 4109 filed pursuant to this order may be made effective not earlier than May 10, 1951, and on not less than five (5) days' notice to the Commission and to the public if made effective on that date.

In all other respects the aforesaid Decision No. 41362, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 20th day of March, 1951.



Commissioners