

Decision No. 46060

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment)	
of rates, rules, classifications and)	
regulations for the transportation)	Case No. 4084
of property within the City and)	
County of San Francisco.)	

Appearances

J. M. Clodfelter, for A. Schilling & Company,
 Division of McCormick & Company, Inc.,
 petitioner.

Edward M. Berol and Russell Bevans, for
 Draymen's Association of San Francisco,
 protestant.

George Patton, for Haslett Warehouse Company,
 interested party.

SUPPLEMENTAL OPINION

City Carriers' Tariff No. 1-A sets forth the minimum rates and charges established for San Francisco drayage operations. By petition filed June 28, 1951, A. Schilling & Company, Division of McCormick & Company, Inc., seeks adjustment of rates provided by that tariff for the transportation of coffee, extracts and spices.

A public hearing was held at San Francisco on July 30, 1951, before Examiner Mulgrew.

Item No. 410-D of the drayage tariff provides a commodity rate of 8½ cents for green coffee, ground mustard and pepper, in sacks. This rate is limited to so-called "inhaul" traffic. It is

¹ Throughout this supplemental opinion rates are stated in cents per 100 pounds.

² Item 10-A of the tariff defines "inhaul" as follows: "INHAUL means transportation of property received from another carrier at a depot, dock, wharf, pier, landing or other point at which facilities are maintained for the loading of property into or upon, or the unloading of property from rail cars or vessels, or received from another carrier at truck loading facilities of plants or industries located at such rail or vessel loading or unloading point, when originating beyond the limits of the City and County of San Francisco; and also means transportation of property from public warehouses to wholesalers."

also limited to transportation aggregating 5,000 tons per calendar year and to the transportation of individual shipments of 10,000 pounds or more. It supersedes the intrazone 4th class rate of 13 cents for green coffee and mustard and the intrazone 3rd class rate of 15 cents for pepper which would otherwise apply to 10,000-pound shipments. Petitioner proposes that Item No. 410-D be broadened by including therein allspice, cloves, cumin seed, ginger, nutmeg and turmeric, in sacks, and ground mustard, in barrels. This proposal involves reductions to the $8\frac{1}{2}$ -cent commodity rate from the 13-cent class rate now applicable to mustard in barrels and from the 15-cent class rate applicable to the other spices.

For general drayage operations the tariff provides 2nd class rates for extracts and spices and 3rd class rates for roasted coffee. Petitioner urges that these rates be reduced to the 3rd and 4th class bases, respectively. The class rates are zone rates and vary with the weight of the shipment. The 2nd class rates range from 18 cents for intrazone shipments subject to a minimum weight of 10,000 pounds to 58 cents for interzone any-quantity shipments. The corresponding range is from 15 to 46 cents for 3rd class rates and from 13 to 39 cents for 4th class rates.

Petitioner's traffic manager testified that the company moves substantial quantities of green and roasted coffee, extracts and spices between San Francisco piers and the company's San Francisco plant.

In regard to the "inhaul" operations, the traffic manager said that the spices proposed to be made subject to the $8\frac{1}{2}$ -cent commodity rate have approximately the same density as green coffee, ground mustard and pepper, the articles now subject to that rate; that at the present time the proposed added commodities are less valuable; that under more settled conditions the values would be

approximately the same; and that there is no difference in the handling of the commodities. From a transportation standpoint, he stated, the characteristics of all the articles are generally similar. With respect to mustard in barrels, he asserted that there is less risk of loss or damage in that type of container and that in other respects transportation in barrels is at least as favorable to the carrier as transportation in sacks.

In regard to the proposed reclassification of roasted coffee, extracts and spices, petitioner's witness testified that the sought reduced ratings are applicable to truck transportation throughout the western half of the United States. The higher ratings in the drayage tariff, he claimed, should be canceled in order to provide the same classification bases as those applying generally to truck traffic.

The witness testified further that the important outbound transportation from the company's San Francisco plant is in so-called "shipping" movements involving drayage to the piers for forwarding by vessel.³ For city deliveries in San Francisco, he said, the company ordinarily uses its own trucks and patronizes for-hire draymen only occasionally. With respect to the level of the present rates for the "shipping" operation, he pointed out that a lower rate is available for transbay operations to Oakland piers than for local drayage to San Francisco piers. For the commodities involved, there is a transbay rate of 11 cents, subject to a minimum weight of 30,000 pounds per shipment. For lesser quantities, the transbay rates exceed the drayage rates. The traffic manager said further that petitioner would consider the extension of its proprietary trucking

3

Item 20-A of the tariff defines "shipping" as follows: "SHIPPING means transportation of property to another carrier when destined beyond the limits of the City and County of San Francisco."

operations to the "shipping" movements should this petition be denied. He pointed out that San Francisco drayage rates had been raised effective July 25, 1951, by a general horizontal increase of 10 percent (Decision No. 45944 of July 10, 1951). He also pointed out that, under the disposition of fractions method used in establishing this increase, the "inhaul" rate involved here had been raised from $7\frac{1}{2}$ to $8\frac{1}{3}$ cents, an increase of $13\frac{1}{3}$ percent.

The draymen's association protested the granting of the petition. Its secretary-manager said that the draymen had proposed a 25 percent increase but had been granted only 10 percent. He also said that the draymen are considering seeking a further increase. He claimed that they could not afford to lose any of the additional revenue produced by the 10 percent increase. He asserted that the showing made by petitioner is not complete and that reduced rates should not be authorized in the absence of a full showing.

It is not disputed and the record shows that in the "inhaul" traffic involved the spices covered by petitioner's proposal possess transportation characteristics substantially similar to those possessed by the commodities now covered by the $8\frac{1}{3}$ -cent commodity rate. The over-all revenue requirements of protestant's members afford no basis for refusing to accord the commodities in question the same rate. The proposed adjustment of Item No. 410-D will be made.

In regard to the proposed reduced ratings on roasted coffee, extracts and spices, the drayage tariff contains an extensive list of commodities subject to ratings differing from the ratings generally applicable to truck transportation. The record here affords no sufficient reason for singling out these particular commodities for removal from this special class rate treatment. In this circumstance it is not enough to point out that the sought bases are

the general classification bases applicable elsewhere. In connection with the "shipping" movements from petitioner's plant, however, no adequate reason is shown for maintaining truckload local rates exceeding the 30,000-pound transbay rates by as great a margin as under the present rate levels. Commodity rates equivalent to the reduced 10,000-pound class rates proposed by petitioner for roasted coffee, extracts and spices will be established for the "shipping" movements.

Upon consideration of all of the facts and circumstances of record the Commission is of the opinion and finds that petitioner has justified proposed adjustments of City Carriers' Tariff No. 1-A to the extent hereinbefore indicated and as provided for in the order herein; and that, in all other respects, the showing made fails to justify the sought relief.

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. 1-A (Appendix "A" of Decision No. 41363 as amended) be and it is hereby further amended by incorporating therein to become effective August 27, 1951, the following revised pages attached hereto and by this reference made a part hereof:

Fifth Revised Page 4 cancels Fourth Revised Page 4
Third Revised Page 7 cancels Second Revised Page 7
Sixth Revised Page 38 cancels Fifth Revised Page 38
Seventh Revised Page 39 cancels Sixth Revised Page 39

IT IS HEREBY FURTHER ORDERED that, except to the extent provided for in the preceding ordering paragraph, the petition of A. Schilling & Company, Division of McCormick & Company, Inc., filed June 28, 1951, in this proceeding, be and it is hereby denied.

The effective date of this order shall be August 27, 1951.

Dated at San Francisco, California, this 7th day of August, 1951.

Justin J. Greener
Harold H. Kuhn
Samuel H. Potter
John J. Mitchell

Commissioners

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	Drug 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	Egg Case Fillers	300
Cocoanuts	620	Eggs	300
Coffee, Green	400,410	Electric Globes or Shades	300
*Coffee, Roasted	290,415	Electrical Appliances	300
Collars, Cloth	290	Enamelware	300
Conduit	290	Excelsior	300
Confectioners' Supplies	290	Explosives	300
Containers, Empty	690	*Extracts	300,417
Copper	280		
Cooperage Stock	290	Feathers	300
Copra	290	Feed	300,390
Cordage	290	Fence Material	300
Corduroy, Cotton	290	Fertilizers	300
Cork	290	File Cabinets	280,460
Corn	660	Filos, Letter	460
Corn Grits	390	Fire Escapes	300
Corn Husks	290	Fire Extinguishers	300
Costumers	460	Fire Works	300
*Cotton	290	Fish	300
Cranberries	610	Pictures, Gas and	
Crates	690	- Electric	300
Crockery	290	Floss	300
Cucumbers	660	Flour	290,390
Curtain Poles or Rods	290	Flue Lining	300
Cutlery	290	Forms, Display	300
*Cylinders	290	Freezers	300
		*Freight	425
Dairy and Dairy Products		Fruit, Canned, Dried or Glazed	300
Companies	290	Fruit, Fresh, N.O.S.	630
Dates	290	Furnaces	390
Denim, Cotton	290	Furniture, N.O.S.	300
Desks	290,460	Furniture, Printers	320
Dessert Preparations	290	Furniture Polish	300
Disinfectants	290	Furniture Stock	300
Dog Biscuits	290		
Doors	290		

* Change, Decision No. 46060

EFFECTIVE AUGUST 27, 1951

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.

Correction No. 150

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
Radiators	320	Soda Fountain Supplies or Parts	330
Radios	320	Solder	330
Rails, Iron or Steel	320	Spaghetti	310
Ranges	330	*Spices	330,410
Rattan	320		417
Refrigerators	320	Spikes	330
Rhubarb	670	Sponges	330
Rice	320,500	Sporting Goods	330
Rice Mill Products	500	Springs	330
Rope	320	Squash	670
Rosin	320	Stands, Telephone	460
Rubber	320	Starch	330
Rugs	320	Stationery	330
Safes and Parts	320	Stove Castings or Parts	330
Salt	330	Stoves	330
Salt peter	320	Straw	690
Sand	330	Sugar	330,530
Sandpaper	330	Suitcases and Handbags	330
Sash, Steel	330	Sulphur	330
Sash Weights	330	Surgical Dressings	330
Sausage Casings	330	Surveying Instruments	330
Saws	330	Sweeping Compound	330
Scales	330	Syrup	330
Scouring Compound	330		
Screens, Window	330	Table Sauces	330
Seeds, N.O.S.	330	Tables	460
Sewing Machines or Parts	330	Talc	330
Shade Cloth	330	Tallow	330
Shades, Cloth or Roller	330	Tangerines	600
Sheeting, Cotton	290	Tar Products, N.O.S.	330
Shells	330	Telephone Stands	460
Shingles	330	Tents, Awnings and Fixtures	330
Ship Chandlery, N.O.S.	330	Terra Cotta	330
Shirts	330	Thread	330
Shoddy	330	Ties, Railroad	330
Shoes	280	Tile	330
Shower Baths or Shower Cabinets	330	Tin	330
		Tin Plate	330
Silica	330	Tinware	330
Sisal	330	Tires, Pneumatic	330
Slate	330	Tobacco	330
Soap, Soap Powder or Soapchips	330,510	Toilet Articles, N.O.S.	330
Soda, Caustic	330	Toilet Preparations, N.O.S.	330
		Tomatoes	670
		Tools, Garden	330
		Tops, Glass, Desk or Table	460
		Toys and Games, N.O.S.	330

* Change, Decision No. 46050

EFFECTIVE AUGUST 27, 1951

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.

Correction No. 151

SECTION NO. 4 - COMMODITY RATES			
In cents per 100 lbs. except as noted			
Item No.	COMMODITY	RATES	Minimum Weight
	CEREAL FOOD PREPARATIONS (cracked, ground, granulated, hulled or rolled cereals, partially prepared for human consumption, but requiring cooking). CORN GRITS FEED	FLOUR MALT	
	Inhaul, Shipping or City Deliveries at truck-side, platform or sidewalk:	In Cents Per Shipment	
	350 pounds or less	72	
Over	350 " but not over 500 pounds. . .	78	
"	500 " " " " 750 " . . .	111	
"	750 " " " " 1000 " . . .	131	
"	1000 " " " " 1250 " . . .	158	
"	1250 " " " " 1500 " . . .	175	
"	1500 " " " " 1750 " . . .	211	
"	1750 " " " " 2000 " . . .	254	
"	2000 " " " " 2500 " . . .	290	
"	2500 " " " " 3000 " . . .	325	
"	3000 " " " " 3500 " . . .	370	
"	3500 " " " " 4000 " . . .	405	
"	4000 " " " " 4500 " . . .	446	
"	4500 " " " " 5000 " . . .	482	
"	5000 " " " " 5500 " . . .	516	
"	5500 " " " " 6000 " . . .	579	
"	6000 "	(1)10	
	(1) In cents per 100 pounds		
	City Deliveries (Not Subject to Item No. 60 Series)	In Cents Per Shipment	
	500 pounds or less	96	
Over	500 " but not over 1000 pounds. . .	176	
"	1000 " " " " 1500 " . . .	254	
"	1500 " " " " 2150 " . . .	325	
		In Cents Per 100 Pounds	
"	2150 " " " " 5000 " . . .	17	
"	5000 " " " " 10000 " . . .	15	
"	10000 "	13	
* For provisions in effect prior to the effective date hereof see Sixth Revised Page 39. Decision No. 46060			
		EFFECTIVE	AUGUST 27, 1951
Issued by the Public Utilities Commission of the State of California, San Francisco, California.			
Correction No. 152			

*390-E
Cancels
390-D

SECTION NO. 4 - COMMODITY RATES (Continued) In cents per 100 lbs. except as noted			
Item No.	COMMODITY	RATES	Minimum Weight
400-D Cancels 400-C	COFFEE, GREEN Inhaul only (1) Monthly tonnage is to be averaged over twelve (12) calendar months commencing with month in which property is first transported.	8	(1) 1000 tons per Calendar Month
*410-E Cancels 410-D	COFFEE, GREEN, in sacks) SPICES, VIZ.:) δ Allspice, in sacks) δ Cloves, in sacks) δ Cumin seed, in sacks) δ Ginger, in sacks) -- Inhaul only δ Mustard, ground, in sacks or) δ barrels) δ Nutmeg, in sacks) δ Pepper, in sacks,) δ Turmeric, in sacks)	8½	5000 tons per Calendar Year, and 10,000 pounds per shipment
#415	COFFEE, ROASTED; Shipping only	δ 13	10,000 pounds
#417	EXTRACTS, N.O.S.;) SPICES, N.O.S.;) Shipping only	δ 15	10,000 pounds
For Item No. 390-E shown on Sixth Revised Page 39, see Sixth Revised Page 38. δ Reduction) # Addition) Decision No. 46860 * Change)			
EFFECTIVE AUGUST 27, 1951			
Issued by the Public Utilities Commission of the State of California, San Francisco, California.			
Correction No. 153			