

ORIGINAL

Decision No. 45373

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

California Moving and Storage Association, a corporation, for establishment of minimum rates for transportation by household goods carriers.

Application No. 32758

In the Matter of the Investigation into the rates, rules, regulations, charges, allowances and practices of all household goods carriers, common carriers, highway carriers and city carriers relating to the transportation of used household goods and related property.

Case No. 5330

Appearances

- Frank Loughran and E. W. Kerttu, for California Moving and Storage Assn.
- Gordon, Knapp and Gill, by Wyman C. Knapp, for Bekins Van Lines, Inc., Lyon Van Lines, Inc., James Van Lines, and Calmay Van Lines.
- Jackson W. Kendall, for Bekins Van & Storage Co.
- Frank Payne, for Lyon Van Lines, Inc.
- W. Ray James, for James Van Lines.
- Jim Cummins, for Market Street Van & Storage Co.
- Robert Reis, for City Transfer & Storage Co.
- C. H. Samuels, for U. C. Express & Storage Co.
- Russell Bevans, for San Francisco Movers, Inc.
- Daniel W. Baker, for Alameda County Draymen's Association.
- H. L. Mathewson, for Elmer Ahl, Pacific States Motor Tariff Bureau.
- J. H. Morrison and John B. Nance, for the Commission's Staff.

O P I N I O N

Decision No. 44919, 50 Cal.P.U.C. 232 (1950), established revised minimum rates and charges to be assessed by, and modified rules and regulations to be observed by, city, radial highway common and highway contract carriers engaged in the transportation of used household goods and related property. These provisions were

prescribed pursuant to the City and Highway Carriers' Acts. They were set forth in City Carriers' Tariff No. 3-A - Highway Carriers' Tariff No. 4-A, issued by the Commission as Appendix "A" to the decision. The decision also required common carriers operating over the public highways and subject to the Public Utilities Act to establish in their tariffs rates, rules and regulations no lower in volume or effect than those provided in the Commission's tariff.

The Household Goods Carriers Act, enacted by the Legislature at its 1951 session, established, effective September 22, 1951, a new class of highway carrier defined as a "household goods carrier." In Application No. 32758, filed September 21, 1951, California Moving and Storage Association, an organization representing highway and city carriers of used household goods, requests that the provisions of the Commission's tariff be made applicable also to services performed by household goods carriers. Case No. 5330 is an investigation, instituted on October 2, 1951, for the purpose of inquiring into the rates, rules, regulations, charges, allowances and practices of all classes of carriers engaged in the transportation of used household goods and related property.

A public hearing was held at San Francisco on October 17, 1951, before Examiner Mulgrew.

A transportation engineer and a rate expert from the Commission's staff testified. The engineer said that the cost of transporting used household goods over the public highways is at least as great as in 1950 when general studies of these operations were last submitted by the Transportation Department.

The rate witness stated that under the various regulatory statutes now in effect some highway carriers may retain their present classifications and obtain an additional classification as a household goods carrier, while others may be reclassified entirely. He

stated further that, regardless of their classification, the highway carriers will continue to transport the property in the same type of equipment between the same points and in substantially the same manner. He pointed out that the service will continue to be provided by carriers operating in competition with one another. He recommended, therefore, that the application of the Commission's tariff be extended to cover household goods carriers.

The association and the carriers represented at the hearing agreed with the staff witnesses' views on costs and rates. They said, however, that they believed that adoption of minimum rates at the present levels, while highly desirable, would be in the nature of a "stop-gap" measure pending further study and necessary modification.

The carrier representatives also brought out that certain shipments of crated used household goods are subject to the minimum rates for general commodities provided in Highway Carriers' Tariff No. 2. They contended, and the Commission's rate witness agreed, that this transportation when performed by household goods carriers should, as in the case of the other household goods transportation and for the same reasons, be made subject to the rates now in effect for other highway carriers.

No one opposed the establishment for household goods carriers of the same tariff provisions as those now applicable for other carriers.

It is not disputed and the record shows that the proposed extension of the present used household goods rate structure to like transportation by household goods carriers is justified and should be approved. The Commission's household goods tariff will be amended accordingly. At the same time certain references in that tariff and in Appendix "B" to Decision No. 44919, supra, will be changed to correct errors and to refer to the Public Utilities Code. The

general commodity tariff will be amended by a separate order to avoid needless and confusing duplication of tariff distribution. All general commodity carriers do not use or need the household goods tariff.

Upon consideration of all of the facts and circumstances of record we are of the opinion and hereby find that modifications of the existing rates, rules and regulations are justified to the extent hereinbefore indicated and as provided in the order herein.

O R D E R

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

IT IS HEREBY ORDERED that City Carriers' Tariff No. 3-A - Highway Carriers' Tariff No. 4-A (Appendix "A" to Decision No. 44919, in Case No. 4808, as amended) be and it is hereby further amended by incorporating therein, to become effective as indicated thereon, the following revised pages attached hereto and by this reference made a part hereof:

First Revised Title Page cancels Original Title Page  
Second Revised Page 4 cancels First Revised Page 4  
and Original Page 4  
First Revised Page 5 cancels Original Page 5  
First Revised Page 11 cancels Original Page 11  
First Revised Page 28 cancels Original Page 28

IT IS HEREBY FURTHER ORDERED that the rates, charges, rules and regulations set forth in the aforesaid City Carriers' Tariff No. 3-A - Highway Carriers' Tariff No. 4-A, as so amended, be and they are hereby approved as the just, reasonable and nondiscriminatory minimum rates and charges to be assessed, charged and collected, and the rules and regulations to be observed by all household goods carriers as defined in the Household Goods Carriers Act for the transportation of used household goods and related property between the points for which rates are provided in said tariff.

First Revised Title Page  
Cancels  
Original Title Page

PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA

CITY CARRIERS' TARIFF NO. 3 - A  
HIGHWAY CARRIERS' TARIFF NO. 4 - A

NAMING

MINIMUM RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION OF USED PROPERTY, VIZ.:

\*HOUSEHOLD GOODS, PERSONAL EFFECTS AND OFFICE, STORE AND

INSTITUTION FURNITURE, FIXTURES AND EQUIPMENT OVER

THE PUBLIC HIGHWAYS WITHIN THE

STATE OF CALIFORNIA

BY

CITY CARRIERS

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

\*HOUSEHOLD GOODS CARRIERS

The original tariff contains rates, rules and regulations established in Decision No. 44919 in Case No. 4808. Changes will be made by issuing revised or added pages or by issuing supplements.

\*Change, Decision No. 4513

Effective December 1, 1951

(Original Tariff Effective November 20, 1950)

Correction No. 4

Issued by the  
Public Utilities Commission of the State of California  
State Building, Civic Center  
San Francisco 2, California

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>(1)*(a) CARRIER means a carrier as defined in the City Carriers' Act, a radial highway common carrier or a highway contract carrier as defined in the Highway Carriers' Act, or a household goods carrier as defined in the Household Goods Carriers Act.</p> <p>(b) COMMISSION means the Public Utilities Commission of the State of California.</p> <p>(c) COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment.</p> <p>(d) CRATED PROPERTY means property securely packed in salesman's hand sample cases, suitcases, overnight or boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting).</p> <p>*(e) DISTANCE TABLE means Distance Table No. 4, amendments thereto, or reissues thereof.</p> <p>(f) FLIGHT means (1) a series of over 7 but not over 20 steps, except in a single dwelling; (2) each series of not more than 20 steps in excess of the first 20 steps, except in a single dwelling; (3) elevator service other than vehicular elevator service; (4) each 50 feet or portion thereof in excess of the first 50 feet when, through no fault of the carrier, its unit of equipment cannot be placed 50 feet or closer to a stairway or other entrance of the building or dwelling at which shipment is to be picked up or delivered.</p> <p>(g) GROUND FLOOR means (1) all floors of a single dwelling; (2) a series of not more than the first 7 steps of other buildings; (3) all floors reached by a vehicular elevator or vehicular ramp; (4) the first 50 feet from carrier's unit of equipment to a stairway or other entrance of a building or dwelling at which pickup or delivery is to be made.</p> <p>(h) METROPOLITAN AREA means one of the metropolitan areas described in Section No. 2.</p> <p>(i) MOTOR VEHICLE means any motor truck, tractor or other self-propelled highway vehicle used for transportation of property over the public highways, and any trailer, semi-trailer, dolly or other vehicle drawn thereby.</p> <p>(j) PACKING means any accessorial service performed in preparing a shipment or any portion thereof for transportation prior to loading, except services for which rates and charges are otherwise provided in this tariff.</p> <p>(k) POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations within a radius of 300 feet on a single piece of property of a single consignee will be considered as one point of destination.</p> <p style="text-align: center;">(Continued)</p>	<p>*1C-B          Cancels          10-A          and          10</p>
<p>(1) Effective December 1, 1951          * Change, Decision No. 45378</p>	
<p>EFFECTIVE JANUARY 1, 1952          (Except as Noted)</p>	
<p>Issued by the Public Utilities Commission of the State of California,          San Francisco, California.          Correction No. 5</p>	

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Concluded)</p> <p>(1) POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation, except that (1) all locations within a radius of 50 feet from a single point, and (2) all locations within a radius of 300 feet on a single piece of property of a single consignor will be considered as one point of origin.</p> <p>(m) RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>(n) SAME TRANSPORTATION means transportation of the same kind and quantity of property between the same points, and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>(o) SHIPMENT means a quantity of property tendered for transportation to one carrier at one time on one shipping document by:</p> <ol style="list-style-type: none"> <li>(1) One shipper at one point of origin for one consignee at one point of destination; or</li> <li>(2) One shipper at more than one point of origin, or more than one shipper at one or more points of origin, for one consignee at one point of destination (split pickup); or</li> <li>(3) One shipper at one point of origin for one consignee at more than one point of destination, or for more than one consignee at one or more points of destination (split delivery).</li> </ol> <p>(p) STATE ROUTE means the numbered highway route indicated by signs displaying a bear insignia.</p> <p>(q) STORAGE IN TRANSIT means storage of a shipment at request of consignor or consignee at one point between point of origin and point of destination for a period not in excess of 30 days.</p> <p>(r) TERRITORY means one of the territories described in Section No. 2.</p> <p>(s) UNCRATED PROPERTY means property not packed in accordance with the crated property requirements set forth in paragraph (d).</p> <p>(t) UNIT OF EQUIPMENT means one or more motor vehicles physically connected so as to form a complete unit.</p> <p>(u) UNPACKING means any accessorial service performed in connection with delivery of a shipment or portion thereof, subsequent to unloading, except services for which rates and charges are otherwise provided in this tariff.</p>	11
<p style="text-align: center;">APPLICATION OF TARIFF - CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the City Carriers' Act, the Highway Carriers' Act, and the Household Goods Carriers Act. They apply for the transportation of commodities described in Item No. 40 series, by carriers as defined in Item No. 10 series.</p> <p style="text-align: center;">* Change, Decision No. <b>46378</b></p> <p style="text-align: center;">EFFECTIVE DECEMBER 1, 1951</p> <p style="text-align: center;">Issued by the Public Utilities Commission of the State of California,      Correction No. 6 <span style="float: right;">San Francisco, California.</span></p>	20-A Cancels 20

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;"><b>ASSESSING OR QUOTING ADDITIONAL CHARGES</b></p> <p>Shipments shall not, in addition to the rates and charges provided in this tariff, be made subject to charges indicated as being for the following:</p> <p>(a) The three percent gross receipts tax to be paid to the State of California through the Board of Equalization.</p> <p>(b) Weighing.</p> <p>* (c) Bridge and ferry tolls, in connection with rates based upon constructive mileage provided in the Distance Table (see Note 1).</p> <p>(d) Flat charges for the handling of individual articles or groups of articles which are component parts of shipments subject to hourly rates, or to rates in cents per 100 pounds.</p> <p>NOTE 1.: On shipments subject to hourly rates or rates based upon actual mileage, actual bridge and ferry tolls shall be added to the transportation charge when such charges are incurred by the carrier. When two or more shipments are transported on a unit of equipment, total toll charges shall be equally assessed between each shipment.</p>	<p>*190-A Cancel 190</p>
<p style="text-align: center;"><b>GROSS WEIGHT</b></p> <p>The gross weight of the shipment shall be used in assessing charges stated on a weight basis. Such weight shall not include the weight of pads, empty containers, dollies, hand trucks or other carrier equipment.</p>	<p>200</p>
<p style="text-align: center;"><b>WEIGHMASTER'S CERTIFICATE</b></p> <p>(a) Prior to delivery and unloading of a shipment transported under distance or point-to-point rates the carrier shall arrange to determine the weight of such shipment by obtaining a weighmaster's certificate or weight ticket. On shipments estimated as weighing less than 1,000 pounds, the carrier may have the shipment weighed over platform or hand scales in lieu of obtaining a weighmaster's certificate, provided a written statement of the weight signed by the weigher is obtained.</p> <p>(b) No charge shall be made for such weighing service.</p> <p>(c) In instances where more than one weighmaster certificate or weight ticket has been obtained covering the same shipment, the lowest of the net scale weights shall be used in computing the applicable charges.</p>	<p>210</p>
<p style="text-align: center;"><b>RATES BASED ON VARYING MINIMUM WEIGHTS</b></p> <p>When the charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply.</p>	<p>220</p>
<p>* Change, Decision No. <u>46378</u></p>	
<p style="text-align: center;">EFFECTIVE JANUARY 1, 1952</p>	
<p>Issued by the Public Utilities Commission of the State of California, Correction No. 7 <span style="float: right;">San Francisco, California.</span></p>	



SECTION NO. 3 - RATES (Continued)

Point-to-Point Rates in Cents per 100 Pounds (1) (2)								Item No.
BETWEEN	AND	MINIMUM WEIGHT (In Pounds)					Via Routes (See Item No. 500 series)	
		100	500	1000	2000	4000		
Metropolitan Los Angeles Area	Metropolitan San Francisco-Oakland Area	1035	584	461	387	334	1,2,3, or 4	
	Metropolitan Sacramento Area	1035	584	461	387	334	6	
	Metropolitan San Diego Area	905	476	366	294	241	5	
	Fresno	980	559	443	372	311	1	
	Tulare	959	552	437	365	307	1	
	Bakersfield	918	510	399	323	265	1	
	San Luis Obispo	970	576	449	372	311	3	
	Santa Maria	952	558	430	352	294	3	
	Duellton	936	536	411	334	275	3	
	Metropolitan Santa Barbara Area	898	503	375	298	236	3	
Metropolitan San Francisco Oakland Area	Metropolitan Sacramento Area	870	459	342	274	227	7	#430-A Cancels 430
	Metropolitan San Diego Area	1084	619	510	430	378	1,2,3, or 4 thence 5	
	Modesto	891	490	371	299	246	1 or 2	
	Merced	914	515	400	327	277	1 or 2	
	Fresno	935	536	422	348	298	1 or 2	
	Bakersfield	981	581	461	387	334	1 or 2	
	Salinas	887	487	367	295	242	3 or 4	
	King City	917	516	399	326	273	3 or 4	
	San Luis Obispo	958	556	438	366	314	3 or 4	
Metropolitan Sacramento Area	Metropolitan San Diego Area	1084	619	510	430	378	6 thence 5	
	Modesto	820	446	337	264	208	6	
	Merced	840	468	364	296	245	6	
	Fresno	870	495	388	323	273	6	
	Bakersfield	930	550	447	377	329	6	
Metropolitan San Diego Area	Bakersfield	969	566	460	376	325	5 thence 1	
	Metropolitan Santa Barbara Area	958	555	448	365	314	5 thence 3	

- (1) Minimum charge - the charge for 100 pounds at the applicable rate.
- (2) If charges accruing under rates in this item, applied on shipments from, to or between points intermediate between origin and destination shown in this item via routes shown in Section No. 4, are lower than charges accruing under the Distance Rates in Item No. 420 series on the same shipment, such lower charges will apply. Rates in this item applied to intermediate points under these provisions apply to all points located within a distance of one mile on either side of the highway and at all points located within incorporated cities through which the highway route passes. When routes named in connection with rates in this item extend beyond point of origin or point of destination, as the case may be, rates in this item are intermediate in application via that portion of such route or routes which connect point of origin and point of destination.

\*Change, Decision No. 46378

---

EFFECTIVE DECEMBER 1, 1951

---

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 8

---

IT IS HEREBY FURTHER ORDERED that ordering Paragraphs Nos. 1, 2, 3, 4 and 7 of Decision No. 44919, in Case No. 4808, be and they are hereby amended to include household goods carriers as defined in the Household Goods Carriers Act.

IT IS HEREBY FURTHER ORDERED that page 2 of Appendix "B" to Decision No. 44919 be and it is hereby amended by substituting therein "Section 494 of the Public Utilities Code" for "Section 17(a)2 of the Public Utilities Act."

In all other respects said Decision No. 44919, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 6<sup>th</sup> day of November, 1951.

*R. J. [Signature]*  
President  
*Justus F. [Signature]*  
*Harold F. [Signature]*  
*[Signature]*  
*[Signature]*  
Commissioner's