

Decision No. 46436

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

Case No. 4808

ORIGINAL

Appearances

Walter A. Rohde, for San Francisco Chamber of  
Commerce.  
W. Y. Bell, L. E. Binsacca, A. W. Brown,  
A. D. Carleton, Jack Clodfelter, W. P. Gunn,  
H. L. Gunnison, P. N. Kujachich, Frank L.  
Merwin, S. A. Moore, A. F. Schumacher,  
R. L. Whitehead and L. E. Wolters, for  
various shippers and shipper organizations.  
Elmer Ahl, Russell Bevans, Frank M. Chandler,  
R. T. Dooley, Aaron H. Glickman, George T.  
Hurst, C. W. Johnson, V. G. Keyes, H. L.  
Mathewson, W. Meinhold, C. A. Millen and  
F. G. Pfommer, for various carriers and  
carrier organizations.  
J. H. Morrison, for the Commission's Staff.

SUPPLEMENTAL OPINION

Item No. 900 series of Highway Carriers' Tariff No. 2 pro-  
vides that rates making reference thereto apply at intermediate points  
located on the highway routes named therein and at all points located  
within a distance of one mile on either side of the highway. The  
rates also apply at all points located within incorporated cities  
through which the highway route passes. <sup>1</sup> Other provisions of the  
tariff authorize the combining of these rates with distance rates at  
intermediate points located on the routes heretofore mentioned. <sup>2</sup>

1

The routes referred to apply between San Francisco Territory and  
Sacramento on the one hand, and Los Angeles Territory and Los  
Angeles Basin Territory on the other hand.

2

Such combinations are authorized by Item No. 190 series of the  
tariff.

This decision deals with the above referred to item insofar as it relates to the one-mile distance provision in connection with the application of point-to-point rates at intermediate points.<sup>3</sup>

Public hearing was held at San Francisco on October 31, 1951, before Examiner Lake.

An Associate Transportation Rate Expert from the Commission's staff explained that difficulty was being experienced in applying the foregoing provisions at intermediate points when constructing combination rates from or to off-route points. He testified that questions had arisen as to whether the "one mile" should be computed by the use of air mileage, actual highway mileage or constructive mileage; and whether, in the determination of combination rates the mileage from or to off-route points should be computed from or to the mileage basing point less one mile or, from or to the exact point at the extremity of the one-mile zone. He alleged that under the present provisions of Item No. 900 series the application of combination rates is uncertain.

In order to remove the uncertainties, the witness proposed that Item No. 900 series be amended by providing:

(1) That rates making reference thereto apply at all points within the pickup and delivery zones at directly intermediate points on the highway route;

(2) That such pickup and delivery zones shall include all points within a distance of one actual highway mile from the highway route and all points within incorporated cities, as they now do; also, that they shall include all points within the pickup and delivery zones described in Item No. 260 series of the tariff;

<sup>3</sup>

This phase of the proceeding also deals with the conditions for handling shipments which exceed the capacity of the carrier's equipment. At the request of interested parties submission of this matter was deferred to permit the development of additional evidence.

(3) That distances to be used in determining combination rates shall be computed from or to the mileage basing points; and

(4) That, in instances where a mileage basing point is not otherwise provided, the point on the highway route which produces the shortest constructive mileage from or to the off-route point shall be the mileage basing point.

No one opposed the suggested changes.

It appears that adoption of the proposal would improve the application of the tariff. In addition, routes will be provided between San Francisco and Oakland, on the one hand, and San Jose and Santa Clara, on the other hand, to permit the intermediate application of certain point-to-point rates being established in another decision.

Upon consideration of the evidence of record, we are of the opinion and hereby find the modification of the existing rates, rules and regulations is justified to the extent hereinbefore indicated and as provided by the order which follows.

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 Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606 as amended) be and it is hereby further amended by incorporating therein, to become effective January 1, 1952, the following original and revised pages attached hereto and by this reference made a part hereof:

Original Page 67-A  
Fifth Revised Page 68 cancels Fourth Revised Page 68

IT IS HEREBY FURTHER ORDERED that common carriers subject to the Public Utilities Act be and they are hereby authorized, but not required, to establish in their tariffs increases in class rates in connection with the transportation of articles for which minimum

Item No.	SECTION NO. 4	ROUTING
		<p>When applied via the highway routes shown herein, rates making specific reference to this item will also apply from, to or between all points located within the following described pickup and delivery zones of directly intermediate points through which the route passes:</p> <ol style="list-style-type: none"> <li>1. All points within incorporated cities.</li> <li>2. All points within the pickup and delivery zones described in Item No. 260 series.</li> <li>3. All points within a distance of one actual highway mile from such route.</li> </ol> <p>(Applies only in connection with the construction of combination rates.)</p> <p>Distances between points located within the pickup and delivery zones described in the above paragraph and points located beyond such zones shall be computed in accordance with the provisions of Item No. 100 series. Where a mileage basing point for any point on the route is not otherwise designated, the mileage basing point shall be the point on the route which produces the shortest constructive mileage from or to the off-route point.</p> <p>(The following routes apply in either direction.)</p> <p>Route No. 1: From San Francisco Territory via U.S. Highway No. 40 to its junction with unnumbered highway near Crockett; easterly via unnumbered highway generally paralleling Southern Pacific Company right of way located along the shore line of Carquinez Strait and Suisun Bay to Martinez; via County Road generally paralleling Southern Pacific Company right of way through Port Chicago to its junction with State Route 4, 4.0 miles west of Pittsburg; State Route 4 to its junction with County Road 1.6 miles north of Byron; said County Road through Byron to its junction with U.S. Highway No. 50, 3.9 miles west of Tracy; U.S. Highway No. 50 to its junction with State Highway No. 120, 5.0 miles west of Manteca; State Highway No. 120 to Manteca; via U.S. Highway No. 99 to Los Angeles Territory or to Los Angeles Basin Territory.</p> <p>Route No. 2: From San Francisco Territory via U.S. Highway No. 50 to its junction with State Highway No. 120, 5.0 miles west of Manteca; State Highway No. 120 to Manteca; via U.S. Highway No. 99 to Los Angeles Basin Territory.</p> <p>Route No. 3: From San Francisco Territory via Niles Canyon Highway through Sunol, Pleasanton and Livermore to its junction with U.S. Highway No. 50 east of Livermore; U.S. Highway No. 50 to its junction with State Highway No. 120, 5.0 miles west of Manteca; State Highway No. 120 to Manteca; via U.S. Highway No. 99 to Los Angeles Territory or to Los Angeles Basin Territory.</p> <p>(Continued)</p>
*900-C Cancels 900-B		
		<p>For provisions in effect prior to the effective date hereof see Fourth Revised Page 68.</p> <p>* Change, Decision No. <b>46436</b></p>
		EFFECTIVE JANUARY 1, 1952
	Correction No. 462	Issued by the Public Utilities Commission of the State of California, San Francisco, California.

Cancel

Item No.	SECTION NO. 4	ROUTING (Concluded)
		<p>Route No. 4: From San Francisco Territory via U.S. Highway No. 101 to Gilroy; State Highway No. 152 through Los Banos to its junction with U.S. Highway No. 99 north of Madera; via U.S. Highway No. 99 to Los Angeles Territory or to Los Angeles Basin Territory.</p> <p>Route No. 5: From Sacramento via U.S. Highway No. 99 to Los Angeles Basin Territory.</p> <p>Route No. 6: From San Francisco Territory via U.S. Highway No. 101 to its junction with State Highway No. 118, 4.0 miles southeast of Ventura; via (a) State Highway No. 118 through Chatsworth, or (b) U.S. Highway No. 101 through Girard, or (c) U.S. Highway No. 101 to its junction with U.S. Highway No. 101, Alternate, at El Rio, thence via U.S. Highway No. 101, Alternate, through Oxnard to Los Angeles Basin Territory.</p> <p>Route No. 7: From San Francisco Territory via Route 1, 2 or 3 to the junction of U.S. Highway No. 50 and State Highway No. 33, 3.0 miles east of Tracy; via State Highway No. 33 to Los Banos; via State Highway No. 152 to its junction with U.S. Highway No. 99 north of Madera; via Route 1, 2 or 3 beyond.</p>
*900-1	#(1)	<p>Route No. 8: From San Francisco via U.S. Highway No. 101 to Santa Clara and San Jose.</p> <p>Route No. 9: From Oakland via State Highway No. 17 to its junction with Trimble Road; southwesterly via Trimble Road to the San Jose-Alviso Road; southerly along San Jose-Alviso Road to Brokaw Road; southwesterly along Brokaw Road to Santa Clara.</p> <p>Route No. 10: From Oakland via State Highway No. 17 to San Jose.</p> <p>(1) Applies only in connection with rates named in Item No. 509 series.</p>
<p>For provisions in effect prior to the effective date hereof see Fourth Revised Page 68 and for provisions shown on Fourth Revised Page 68 and not reproduced hereon see Original Page 67-A.</p> <p># Addition } Decision No. 46435 * Change }</p>		
<p>EFFECTIVE            JANUARY 1, 1952</p>		
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p>		
<p>Correction No. 463</p>		

rates have not been established by the Commission and in connection with articles on which the common carriers maintain rates on class rate levels higher than the applicable minimum commodity rates, but that such increases shall be no greater in volume and effect than the corresponding class rate increases established herein.

IT IS HEREBY FURTHER ORDERED that common carriers by railroad be and they are hereby authorized, but not required, to establish in their tariffs a general readjustment of their carload class rates corresponding to the readjustment of the minimum rates established herein.

IT IS HEREBY FURTHER ORDERED that tariff publications required or authorized to be made by common carriers as a result of the order herein may be made effective on not less than five (5) days' notice to the Commission and to the public.


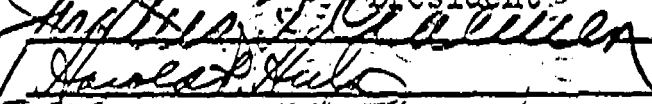
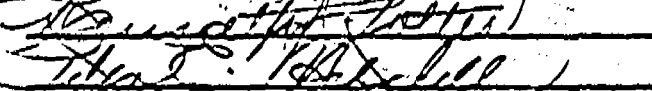
IT IS HEREBY FURTHER ORDERED that common carriers be and they are hereby authorized to depart from the provisions of Article XII, Section 21 of the Constitution of the State of California, and Section 460 of the Public Utilities Code to the extent necessary to adjust long and short haul departures now maintained under outstanding authorizations and to depart from the provisions of Tariff Circular No. 2 and General Order No. 80 requiring that all tariff changes be indicated by designated symbols in distance table and tariff filings made pursuant to the order herein.

In all other respects said Decision No. 31606, 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 20<sup>th</sup> day of

November, 1951.

  
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President  
  
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Commissioners