

ORIGINAL

Decision No. 47220

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the Walkup Drayage and Warehouse)
Company, for authorization to trans-) Application No. 20520
port for compensation or hire over) (7th Supplemental)
the public highways in the City and)
County of San Francisco certain com-)
modities listed in the application.)

Appearances

Douglas Brookman, for applicant.
James L. Roney, for S & W Fine Foods, Inc.,
intervener in behalf of applicant.
Russell Bevans, for Draymen's Association
of San Francisco, interested party.

SUPPLEMENTAL OPINION AND ORDER

By prior orders in this proceeding, Walkup Drayage and Warehouse Company was authorized to transport certain property between points in San Francisco at rates less than the established minimum rates. The present authority is scheduled to expire June 5, 1952. With certain modifications, Walkup seeks extension of the authority for a further period of one year.

Public hearing of the supplemental application was held at San Francisco on May 15, 1952, before Examiner Jacopi.

The transportation involved in this proceeding embraces various commodities in specified minimum quantities per year.¹ The authority now outstanding to deviate from the established minimum rates on this traffic was granted upon a showing that such rates were justified by the lower costs resulting from unusually favorable conditions surrounding the transportation and that the traffic would be diverted to proprietary operations unless the lower rates were authorized.

¹

The commodities and the minimum weights applicable in connection therewith are set forth in Appendix "A" hereof.

Evidence relative to the instant proposals was offered by Walkup's vice-president. The evidence shows that the company recently experienced increases in wages and other operating costs and that the rates now sought herein include upward adjustments to offset the higher costs. Assertedly, these adjustments generally conform to the increases made in the established minimum rates reflecting advances in operating expenses.² The record shows that in other respects there has been no material lessening of the favorable conditions under which the transportation involved herein is performed. It was pointed out that both the present and proposed rates are based upon the transportation of required minimum quantities per year that substantially exceed those applicable in connection with the minimum rates. The witness said that the annual volume of traffic handled for the shippers involved usually amounted to more than the minimum requirements and that it had not been necessary in the past to bill the shippers for any deficiency between the actual weight shipped and the minimum weight. Assertedly, the sought rates as modified would enable applicant to continue the operations in question on a compensatory basis.

The record shows that applicant notified the shippers involved of the proposed advances in the rates heretofore authorized in this proceeding. The manager of transportation for one of the shippers, a wholesale grocery concern, supported applicant's proposal. He stated that he had no objection to the higher rates

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The application was amended at the hearing by increasing the sought rates by 12 percent to correspond with the advance in the minimum rates for San Francisco drayage operations authorized by Decision No. 47000 of April 14, 1952, in Case No. 4084. The decision was issued after the supplemental application herein was filed. At the same time, certain rates on sugar were eliminated from the proposed extension of the authority.

proposed and that applicant needed the sought authority to avoid diversion of the traffic to proprietary operations. The other shippers involved did not appear at the hearing.

The secretary-manager of the Draymen's Association of San Francisco stated that the association offered no objection to the granting of the sought relief since it appeared from the record that the present authorized rates were being adjusted to reflect the increases experienced in the cost of operation.

No one opposed the granting of the authority to deviate from the established minimum rates on the basis proposed by applicant.

It appears that continuation of the rate authority is necessary to enable applicant to retain the traffic and that the proposed rates will be compensatory. The supplemental application will be granted. Because the conditions which justify observance of the sought rates may change at any time, the authority will be limited to a period of one year, subject to earlier cancellation, revision or extension. To prevent a lapse of applicant's authority, the order herein will be made effective June 5, 1952.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Walkup Drayage and Warehouse Company be and it is hereby authorized to transport property as described in and subject to the conditions and restrictions set forth in Appendix "A," attached hereto and by this reference made a part hereof, between points within the City and County of San Francisco, at rates less than the minimum rates established for such transportation but not less than the rates shown in said

APPENDIX "A" OF DECISION NO. 47200.

Item 1

Flour transported for Langendorf United Bakeries, Inc. in quantities of not less than 50,000 barrels per calendar year:

Inhaul (1) \$.13½ per 100 lbs.

Item 2

Commodities transported for S & W Fine Foods and Equitable Cash Grocery in quantities of not less than 24,000 tons per calendar year:

Not Otherwise Specified:
(Weight of Shipment)

500 pounds and under	# \$.95 per shipment
Over 500 pounds to 1,200 pounds	# 1.20 per shipment
Over 1,200 pounds to 2,000 pounds	# 1.80 per shipment
Over 2,000 pounds	1.80 per ton

Shipping:
(Weight of Shipment)

400 pounds and under	\$.80 per shipment
Over 400 pounds to 1,000 pounds	1.10 per shipment
Over 1,000 pounds to 1,500 pounds	1.50 per shipment
Over 1,500 pounds to 2,000 pounds	1.80 per shipment
Over 2,000 pounds	1.80 per ton

City Deliveries (1) \$ 3.30 per ton

Item 3

Newsprint Paper, in rolls transported for Hearst Publications, Inc. in quantities of not less than 35,000 tons per calendar year:

(1) \$ 1.40 per ton

Except as otherwise provided herein, rates and charges named in this appendix are subject to the rules and regulations provided in City Carriers' Tariff No. 1-A (Appendix "A" of Decision No. 41363, as amended, in Case No. 4084).

(1) Not subject to the provisions of Item No. 60 series of said City Carriers' Tariff No. 1-A with respect to tailgate loading and tailgate unloading.

These particular rates are higher than the minimum rates in effect on the date of the order herein and are shown as information only to avoid confusion in applying the authorized rates to the respective weight brackets.

End of Appendix

Appendix "A"; and that this authority shall supersede that granted by Decision No. 44010 of April 4, 1950, as amended, in this proceeding.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire one (1) year after the effective date of this order, unless sooner canceled, changed or extended by the Commission.

This order shall become effective June 5, 1952.

Dated at San Francisco, California, this 27th day of May, 1952.

[Signature]
President

[Signature]
[Signature]

[Signature]
[Signature]
Commissioners