Decision No. 48217

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ARNOLD D. CHERRY and STANLEY CHERRY, copartners doing business as ARNOLD D. CHERRY, for an order authorizing departure from the rates, rules and regulations of Highway Carriers' Tariff No. 2, under the provisions of Section 3666 of the Public Utilities Code.

Application No. 33996

OPINION AND ORDER

Applicants hold city and highway contract carrier permits. They operate within and between East Bay cities. For many years they have transported drugs, liquors and other property for McKesson & Robbins Incorporated from its Oakland warehouse under monthly vehicle unit rates. Recently this shipper established a warehouse at San Leandro. It now supplies the East Bay cities from both warehouses. Monthly vehicle unit rates are not applicable from San Leandro and rates in cents per 100 pounds must be used. Applicants seek authority to apply the Oakland (East Bay drayage area) monthly rates to the combined operations.

Applicants point out that San Leandro is contiguous to Oakland and is a part of the East Bay commercial and industrial area. They state that in the transportation in question expedited handling and special dispatching are required and that because of the specialized nature of the service weight rates are neither appropriate nor practical. They allege that wages and other costs incurred in operations from the San Leandro warehouse are identical with those incurred in operations from the Oakland warehouse.

Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont and San Leandro.

Interested parties have been notified of the filing of the application. No objection to the granting of the application has been made.

It appears that this is a matter in which a public hearing is not necessary and that the proposed rates are reasonable. Because the conditions under which the service is performed may change at any time the authority will be limited to a one-year period.

Therefore, good cause appearing,

Cherry, copartners doing business as Arnold D. Cherry, be and they are hereby authorized to transport property for McKesson & Robbins Incorporated within an area consisting of the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont and San Leandro at rates and charges which differ from those established as minimum rates and charges, but not lower than and subject to the rules, regulations, conditions and restrictions set forth in Item No.1100-B of City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A.

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 order of the Commission.

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

Dated at at San Francisco, California, this <u>27</u> day of January, 1953.