

ORIGINAL

Decision No. 50417

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of L. T. Pierce, R. H. Davis, and)
F. J. Davis, a partnership, doing)
business as FRUITVALE DRAYAGE,)
for authority to transport certain)
commodities under monthly vehicle)
unit rates between Oakland,)
Alameda, Berkeley, El Cerrito,)
San Pablo, Richmond, Albany,)
Piedmont, Castro Valley, Hayward,)
Haymont, San Lorenzo and Concord.)

Application No. 35642

OPINION AND ORDER

Decision No. 48931 of August 4, 1953, in Application No. 34297, authorized applicants to deviate from the minimum rates in connection with the transportation of groceries and related items for the Louis Stores. The deviation is limited to transportation from that concern's warehouse in Alameda to its retail stores in Alameda, Albany, Berkeley, Castro Valley, El Cerrito, Emeryville, Haymont, Hayward, Oakland, Piedmont, Richmond, San Lorenzo and San Pablo. The authority permits the applicants to assess monthly unit rates which otherwise would be applicable only within the East Bay drayage area.¹ The authority is scheduled to expire August 23, 1954. Since it was granted the monthly minimum rates within the East Bay drayage area have been increased.² Authority is sought to continue to observe monthly rates for a further one-year period, but at the increased level. Applicants also seek extension of the authority to include deliveries to the shipper's stores in Concord.

¹ The East Bay drayage area consists of the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont.

² Decision No. 49167 of September 29, 1953, in Case No. 5441.

The application shows that, except for increased operating costs, the conditions surrounding the transportation in question which justified deviation from the minimum rates generally still obtain; that the proposed increase in the rates will offset the higher operating costs; and that operations under the sought rates may reasonably be expected to be profitable during the ensuing year. It also shows that the shipper has acquired retail outlets in Concord and that the conditions surrounding this transportation are the same as those for the other operations.

Interested parties have been notified of the filing of the application. No objection to its being granted has been received.

In the circumstances it appears that this is a matter in which a public hearing is not necessary and that the application should be granted. To prevent a lapse of applicants' authority, the order will be made effective August 23, 1954.

Therefore, good cause appearing,

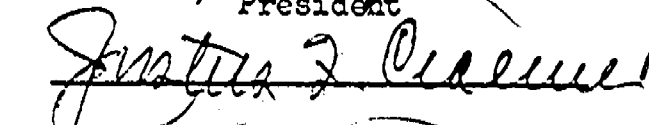
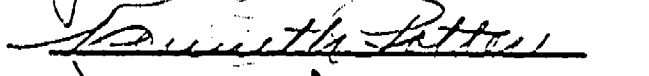

IT IS HEREBY ORDERED that L. T. Pierce, R. H. Davis and F. J. Davis, a partnership, doing business as Fruitvale Drayage, be and they are hereby authorized to transport for Louis Stores groceries and related items at rates and charges which differ from those heretofore established as minimum but no lower than those set forth in Appendix "A", attached hereto and by this reference made a part hereof.

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

This order shall become effective August 23, 1954.

Dated at San Francisco, California, this 17th day of August, 1954.


President

Commissioners

(APPENDIX "A" TO DECISION NO. 50417)

Rates apply only for the transportation of groceries and related items for Louis Stores from its warehouse in Alameda to its retail stores in Alameda, Albany, Berkeley, Castro Valley, El Cerrito, Emeryville, Haymont, Hayward, Oakland, Piedmont, Richmond, San Lorenzo, San Pablo and Concord, and for the return movement of rejected shipments.

MONTHLY VEHICLE UNIT RATES

including driver and all other operating expenses. (Subject to NOTES 1 and 2.)

	Column 1	Column 2	Column 3
10,500 pounds or less	719	890	16
Over 10,500 pounds and not over 20,000 pounds	839	1031	21
Over 20,000 pounds	951	1154	27

COLUMN 1 -- Rates per month in dollars per unit of carrier's equipment for service exclusive of service on Saturdays, Sundays and holidays. When equipment is operated in excess of 1,050 miles per month, add rates shown in Column 3.

COLUMN 2 -- Rates per month in dollars per unit of carrier's equipment for service including service on Saturdays, Sundays and holidays. When equipment is operated in excess of 1,250 miles per month, add rates shown in Column 3.

COLUMN 3 -- Rates in cents per mile to be added to the Column 1 and 2 rates when unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.

NOTE 1 -- Rates named herein apply during regular working hours of 8:00 a.m. to 5:00 p.m. except Saturdays, Sundays and the following holidays: New Years Day, Washington's Birthday, Decoration Day, Fourth of July, Labor Day, Admission Day, Thanksgiving Day, and Christmas Day. When such holidays fall on Sunday the following Monday shall be considered a holiday. For services performed at the request of the shipper or consignee at other than those hours and on Saturdays, Sundays or the holidays shown, an additional charge equal to the additional cost of overtime will be made. When carrier is required to provide additional labor, at point of origin or point of destination, for the handling of articles or packages which, because of their weight or bulk, cannot be handled by one man, an additional charge of \$3.32 per man per hour, minimum charge of \$3.32, shall be made.

NOTE 2 -- L. T. Pierce, R. H. Davis and F. J. Davis, doing business as Fruitvale Drayage, shall issue, for each vehicle furnished, a shipping document containing a certification that during the period covered by the document the vehicle was operated only in transportation service for which rates are provided by this decision (or full explanation or other operations, with reference to shipping documents covering), showing rates and charges assessed and containing all such information respecting each of the factors entering into the computation of the charges as may be necessary to verify the lawfulness of the charges assessed. L. T. Pierce, R. H. Davis and F. J. Davis, doing business as Fruitvale Drayage, shall retain and preserve a copy of such shipping document, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.

(End of Appendix "A")