

ORIGINAL

Decision No. 52590

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Signal Trucking Service, Ltd.,)
a corporation, for authority to)
depart from the rates, rules and)
regulations of Highway Carriers')
Tariff No. 2 under the provisions)
of the Highway Carriers' Act.)

Application No. 27769
(Eleventh Supplemental)

TWELFTH SUPPLEMENTAL OPINION AND ORDER

Applicant holds city and highway contract carrier permits. It transports structural materials and babbitt metal for Joseph T. Ryerson & Son, Inc., between the latter's Los Angeles plant and points in Los Angeles, Kern, Orange, Riverside, San Bernardino, San Diego and Ventura counties. Prior orders in this proceeding have authorized it, under Section 3666 of the Public Utilities Code, to observe monthly and hourly rates in lieu of the minimum rates in cents per 100 pounds otherwise applicable to this transportation. The authority is scheduled to expire February 28, 1956.

Permission is now sought to continue to deviate from the minimum rates for a further one-year period. Applicant proposes that the authorized rates be increased to the level of the current monthly and hourly minimum rates applicable to similar transportation within Los Angeles and Orange counties.

The supplemental application states that the conditions which justified deviation from the minimum rates still obtain, and that the previously authorized rates as proposed to be adjusted herein may reasonably be expected to result in profitable operations during the ensuing year.

In the circumstances it appears, and the Commission finds, that the proposed rates are reasonable. This is a matter in which a

public hearing is not necessary. The supplemental application will be granted. The special rate authority herein sought and granted is not applicable to common carrier services.¹ Applicant holds a radial highway common carrier permit as well as the contract and city carrier permits. Section 3542 of the Public Utilities Code forbids carriers to operate both as a common carrier and as a highway contract carrier of the same commodities between the same points. The authority hereinafter granted will contain necessary restrictions to avoid conflict with the statutory prohibitions.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Decision No. 43790 of February 7, 1950, as amended, in this proceeding, be and it is hereby further amended by substituting for Appendix "A-2" thereof Appendix "A-3" attached hereto and by this reference made a part hereof.

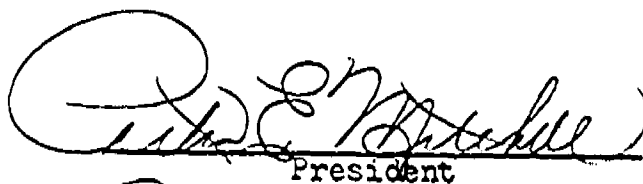
(2) That the expiration date of the authority granted by said Decision No. 43790, as further amended herein, be and it is hereby extended to February 28, 1957, unless sooner changed or further extended by order of the Commission.

(3) That any transportation performed by applicant as a common carrier of the same commodities between the same points shall be cause for revocation of the authority herein granted.

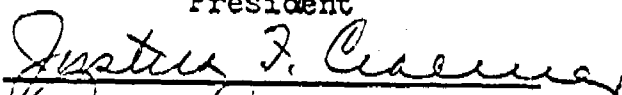
¹ Section 3542 of the Public Utilities Code reads as follows: "No person or corporation shall engage or be permitted by the Commission to engage in the transportation of property on any public highway, both as a common carrier and as a highway contract carrier of the same commodities between the same points."

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

Dated at San Francisco, California, this 7th day of February, 1956.



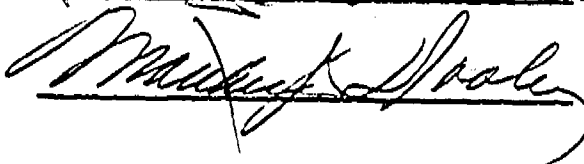
President



Justice F. Caserman



Roy L. Winters



M. J. Spaly

Commissioners

APPENDIX "A-3" TO DECISION NO: 3250
UNIT RATES, RULES AND REGULATIONS (1)

<u>Weight-in Pounds(2)</u>		<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
Over	2,500 or less	658	9	445
"	2,500 but not over 5,000	681	10	445
"	5,000 " " " 8,000	708	11	445
"	8,000 " " " 12,000	726	11½	445
"	12,000 " " " 20,000	845	12	445
"	20,000 " " " 30,000	903	14	460
"	30,000	1065	18	465

Column A - Rates in dollars per unit of carrier's equipment for a period of twenty-one successive days or, when the equipment is not operated on Saturdays, Sundays and holidays, for a period of twenty-one successive days exclusive of Saturdays, Sundays and holidays, or any portion of such periods. When equipment is operated in excess of 1,050 miles during the period, add rates provided by Column B. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column C.

Column B - Rates in cents per mile to be added to the Column A rates when the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.

Column C - Rates in cents per hour to be added to the Column A rates when the unit of carrier's equipment is operated in excess of the maximum hours allowed thereunder.

(1) Charges for deliveries in Kern, Riverside, San Bernardino, San Diego and Ventura counties shall be constructed by adding to the charge computed at the rates provided in Columns A, B, and/or C any charge accrued or paid for drivers' wages which is in excess of the charge which would have accrued at the regular and/or overtime wage rates in effect on February 1, 1956, for drivers making deliveries in the Los Angeles Drayage Area, as described in Items Nos. 30, 31, 32 and 33 of Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504, as amended).

(2) Weight in pounds is the gross weight of the property transported by the unit of carrier's equipment at the time the equipment is transporting the greatest (heaviest) load during the period covered by the transaction. No allowance shall be made for weight of containers.

(End of Appendix "A-3")