

Decision No. 52949

ORIGINAL

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)	Application No. 27666
of Minimum Rate Tariff No. 5 and)	(Tenth Supplemental)
Minimum Rate Tariff No. 2, under the)	
provisions of the City Carriers' Act)	
and of the Highway Carriers' Act.)	

TENTH SUPPLEMENTAL OPINION AND ORDER

Applicant holds city and highway contract carrier permits. Prior orders in this proceeding have authorized it, under Sections 3666 and 4015 of the Public Utilities Code, to deviate from the established minimum rates in connection with transportation service performed for Sears, Roebuck & Company within the Los Angeles area and between that area and other southern California points. The authority is scheduled to expire April 27, 1956.

By supplemental application, as amended, authority is sought to continue to deviate from the minimum rates for a further one-year period. Applicant proposes to increase certain of the authorized rates. The supplemental application states that the conditions which justified deviation from the minimum rates still obtain; that the proposed increases in the rates correspond with similar increases in the minimum rates; and that operations under the proposed rates are expected to be profitable during the ensuing year.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and consistent with the public interest. This is a matter in which a public hearing is not necessary. The supplemental application, as amended, will be granted. The special rate authority herein sought and granted is not applicable to

common carrier services.¹ Applicant holds a highway common carrier certificate and 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. Inasmuch as the authority will expire April 27, 1956, the order will be made effective on that date.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Signal Trucking Service, Ltd., be and it is hereby authorized to depart from the rates, rules and regulations set forth in Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) and Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504, as amended) to the extent that alternative rates, rules and regulations are provided in Appendix "A", attached hereto and by this reference made a part hereof.

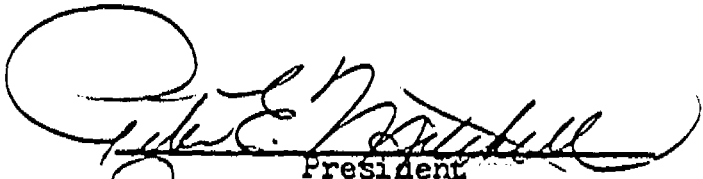
(2) That the authority herein granted shall expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

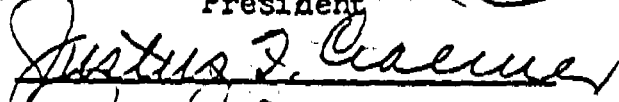
¹Section 3542 of the Public Utilities Code reads as follows: "No person or corporation shall engage or be permitted by the Commission to engage in the transportation of property on any public highway both as a common carrier and as a highway contract carrier of the same commodities between the same points."

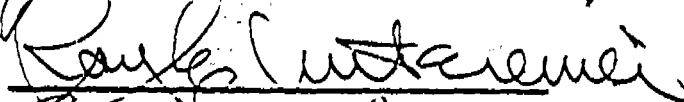
(3) That any transportation performed by applicant as a common carrier of the same commodities between the same points shall be cause for revocation of the authority herein granted.


This order shall become effective April 27, 1956.

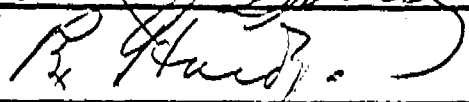
Dated at San Francisco, California, this 24th day of April, 1956.



President








Commissioners

APPENDIX "A" TO DECISION NO. 52949

IN APPLICATION NO. 27666 - (TENTH SUPPLEMENTAL)

Naming

Rates, rules, regulations, conditions and restrictions applicable to the transportation of property for Sears, Roebuck and Company.

- (a) Between points within a radius of 45 constructive miles, computed in accordance with the provisions of Distance Table No. 4 (Appendix "A" of Decision No. 46022, as amended, in Case No. 4808), from the intersection of First and Main Streets, Los Angeles; and
- (b) (Applicable only to transportation of property by shuttle delivery service) Between points as designated in above paragraph (a) on the one hand, and points within the corporate limits of the cities of San Diego, Riverside, San Bernardino, Ventura, Santa Barbara, and Oxnard, on the other hand.

The transportation services designated herein are described in Decision No. 41328 in Application No. 27666 (Second Supplemental).

SHUTTLE DELIVERY SERVICE - HOURLY RATES

<u>Weight in Pounds</u>	<u>Rates in Cents Per Hour</u>	<u>Minimum Charges in Cents</u>
250 or less	520	520
Over 250 but not over 2,500	660	660
Over 2,500 but not over 5,000	680	680
Over 5,000 but not over 8,000	710	710
Over 8,000 but not over 12,000	725	725
Over 12,000 but not over 20,000	835	835
Over 20,000 but not over 30,000	890	890
Over 30,000	1040	1040

Note 1. -- Weight in pounds is the greatest (heaviest) gross weight of the property transported by the unit of carriers' equipment at one time during a single transaction. No allowance shall be made for weight of containers.

Note 2. -- (a) The total of the loading, unloading and driving time computed from the arrival of carrier's equipment at point of origin, or first point of origin when more than one point of origin is involved, to the time unloading is completed at point of destination, or last point of destination when more than one point of destination is involved, subject to paragraph (b) hereof, shall be used to compute charges.

(b) In computing time under the basis outlined in paragraph (a) hereof the various time factors shall be not less than the actual time involved in minutes. After the total time has been determined under the provisions of paragraph (a) hereof, it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:

- Less than 8 minutes - - - - - omit
- 8 minutes or more but less than 23 minutes shall be 1/4 hour.
- 23 minutes or more but less than 38 minutes shall be 1/2 hour.
- 38 minutes or more but less than 53 minutes shall be 3/4 hour.
- 53 minutes or more shall be 1 hour.

Note 3. -- Between the hours of 6:00 P.M. and 7:00 A.M., and on Sundays or holidays, an additional charge at the rate of 175 cents per hour (or fraction thereof) shall be assessed.

SHUTTLE DELIVERY SERVICE - WEEKLY AND MONTHLY RATES

Weight in Pounds Subject to Note 1:	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
2,500 or less	163	196	658	773	9	445
Over 2,500 but not over 5,000	168	203	681	798	10	445
Over 5,000 but not over 8,000	175	210	708	829	11	445
Over 8,000 but not over 12,000	179	215	726	845	11½	445
Over 12,000 but not over 20,000	206	248	845	967	12	445
Over 20,000 but not over 30,000	220	265	903	1032	14	460
Over 30,000	258	310	1065	1203	18	465

COLUMN 1 - Rates in dollars per unit of carrier's equipment for a period of five successive days or any portion thereof, excluding Sundays and holidays, and limited to 8 hours out of each 9 consecutive hours. When equipment is operated in excess of 250 miles during such period, add rates provided by Column 5. When equipment is operated in excess of 8 hours in each 9 hours, add rates provided by Column 6.

COLUMN 2 - Rates in dollars per unit of carrier's equipment for a period of six successive days or any portion thereof, excluding Sundays and holidays, and limited to 8 hours out of each 9 consecutive hours. When equipment is operated in excess of 300 miles during such period, add rates provided by Column 5. When equipment is operated in excess of 8 hours in each 9 hours, add rates provided by Column 6.

COLUMN 3 - 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 5. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column 6.

COLUMN 4 - Rates in dollars per unit of carrier's equipment for a period of twenty-five successive days or, when the equipment is not operated on Sundays and holidays, for a period of twenty-five successive days, exclusive of Sundays and holidays, or any portion of such periods. When equipment is operated in excess of 1,250 miles during the period, add rates provided by Column 5. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column 6.

COLUMN 5 - Rates in cents per mile to be added to the Column 1, 2, 3 and 4 rates when the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.

COLUMN 6 - Rates in cents per hour to be added to the Column 1, 2, 3 and 4 rates when the unit of carrier's equipment is operated in excess of the maximum hours allowed thereunder.

NOTE 1. - 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.

SHUTTLE DELIVERY SERVICE - RATES FOR EXTRA SEMI-TRAILERS

Rate per trailer, per day	\$ 5.00
Rate per trailer, per week	25.00
Rate per trailer, per month	70.00

SHUTTLE DELIVERY SERVICE -- RULES AND REGULATIONS

(a) Rates apply only for the transportation of property, regardless of classification, between stores, warehouses or other properties owned, leased, operated, or controlled by Sears, Roebuck and Company.

(b) Rates are subject to Items Nos. 10, 11, and 150 Series of Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504, amended, in Case No. 4121).

(c) Rates are subject to an additional charge at the rate of \$3.50 per man, per hour, minimum charge \$1.75, when carrier furnishes help in addition to the driver. The time for computing the additional charge shall be not less than the actual time in minutes the helper or helpers are engaged in performing the services. The total time so computed shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:

Less than 8 minutes	-----omit.
8 minutes or more but less than 23 minutes	shall be 1/4 hour.
23 minutes or more but less than 38 minutes	shall be 1/2 hour.
38 minutes or more but less than 53 minutes	shall be 3/4 hour.
54 minutes or more	shall be 1 hour.

(d) Signal Trucking Service, Ltd., 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 herein provided (or full explanation of 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. Signal Trucking Service, Ltd. shall retain and preserve a copy of each such shipping document, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance.

(e) Charges on shipments transported in shuttle delivery service to or from San Diego, Riverside, San Bernardino, Ventura, Santa Barbara, and Oxnard shall not be less than those applicable to shipments of 12,000 pounds.

(f) Charges on shipments transported in shuttle delivery service to or from San Diego, Riverside, San Bernardino, Ventura, Santa Barbara, and Oxnard shall be constructed by adding to the charge computed at the rates provided on page 3 in Columns 1, 2, 3, 4, 5, and/or 6, 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 March 1, 1953, for drivers engaged in making deliveries in shuttle delivery service in accordance with provisions of Decision No. 41870, as amended, in this proceeding, within the area described in paragraph (a) on First Page of this appendix.

DELUXE DELIVERY SERVICE

The rate for the delivery of shipments in Deluxe delivery service will be \$1.75 per 100 pounds to all points within the delivery zone, except:

- a. To Calabasas, Newhall, Saugus and Sylmar areas - \$2.00 per 100 pounds;

subject to the following minimum charges:

Weight of shipment

40 pounds or less	75 cents
Over 40 pounds but not over 60 pounds	110 cents
Over 60 pounds but not over 80 pounds	150 cents
Over 80 pounds but less than 100 pounds	175 cents

1. \$2.00 in addition to the transportation charge is to be assessed for installation of all gas ranges. Shipper is to furnish all material.
2. \$1.75 per hundred pounds on all uncrated water heaters.
3. \$1.75 flat fee is to be charged when pickup has been ordered but not completed for some stated reason from either in-zone or outside locations.

\$1.75 flat charge will be made for call-backs to complete installations or other service not provided at time of delivery, when such call-backs are not made for the convenience of the carrier. This charge will be in addition to the agreed charge for such installation or other service.

4. \$8.00 per hour is to be charged for all lost time when shown as actual lost time by irregularity report attached to bill of lading by delivering driver. This includes out-of-zone deliveries.

Out-of-zone time shall be computed on the basis of actual elapsed time, exclusive of delivery time, between departure from and return to extreme delivery limits. Irregularity reports created by delivery driver must show times of departure from and return to delivery limits plus elapsed time necessary to perform actual delivery.

5. Special deliveries will be charged for at the following hourly rates dependent on the total weight of the individual shipment plus the helpers rate of \$3.50 per hour, minimum charge \$1.75.

	<u>Rates per hour</u>	<u>Minimum Charge</u>
250 pounds or less	\$5.00	\$5.00
251 pounds and over	6.25	6.25

Time to be computed shall be the elapsed time between the time loading begins and delivery at destination.

6. The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments shall be computed in accordance with the provisions of Item No. 150 series of Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504, as amended, in Case No. 4121).
7. Rates include second and third attempt delivery.
8. \$2.85 per hundred pounds will be charged for the disconnecting and return of refrigerator power units to Sears' warehouse.
9. \$2.85 per hundred pounds will be charged for delivery and installation of refrigerator power units.

DELUXE DELIVERY SERVICE

10. Lawn Swings - setting up charge will be \$3.50.
11. Dryers - installation charge will be \$2.00.
12. Deep Freezers - \$2.80 per hundred pounds will apply only on the freezers measuring 14 cu. ft. and over. Others of less cubic foot measure - \$1.75 per hundred pounds.
13. Where additional help is required or requested for delivery and installation on items such as home freezers or other similar items, the charge will be \$3.50 per man, per hour, minimum charge \$1.75 for help in addition to driver and one helper.
14. \$4.25 shall be assessed for the installation of automatic washers when installation is required at time of delivery.

MAIL ORDER SERVICE

Class rates in cents per 100 pounds applicable to the transportation of shipments having both point of origin and point of destination within the Los Angeles Drayage Area, as described in Items Nos. 30 to 33 series, inclusive, of Minimum Rate Tariff No. 5 (Appendix "A" of Decision No. 32504, as amended, in Case No. 4121).

MINIMUM WEIGHT IN CENTS PER 100 POUNDS

RATE BASIS	ANY QUANTITY				500 Pounds				2,000 Pounds			
	1	2	3	4	1	2	3	4	1	2	3	4
A	105	94	85	75	78	71	64	57	61	56	51	46
B	106	95	86	76	79	72	65	58	65	59	54	48
C	107	96	87	77	80	73	66	59	74	67	61	55

RATE BASIS	4,000 Pounds				10,000 Pounds				20,000 Pounds			
	1	2	3	4	1	2	3	4	1	2	3	4
A	40	37	34	31	33	31	28	26	27	25	23½	22
B	42	39	36	33	34	32	29	27	27½	26	24	22½
C	53	49	45	40	42	38	35	32	31½	29½	27½	25

The minimum charge per shipment shall be as follows:

25 pounds or less.....	78 cents.
Over 25 pounds but not over 50 pounds.....	89 cents.
Over 50 pounds but not over 75 pounds.....	105 cents.
Over 75 pounds but not over 100 pounds.....	120 cents.
Over 100 pounds.....	133 cents.

The foregoing rates and minimum charges include delivery from carriers' vehicles to customers of Soars, Reebuck and Company.

MAIL ORDER SERVICE

Class rates in cents per 100 pounds applicable in lieu of those provided in Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended, in Case No. 4246) for the transportation of shipments between points within a radius of 45 constructive miles from the intersection of First and Main Streets, Los Angeles:

MILES But not over over	Any Quantity				Minimum Weight 2,000 Pounds				Minimum Weight 4,000 Pounds				Minimum Weight 10,000 Pounds				
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
	0	3	136	124	111	99	85	78	71	62	66	61	55	50	43	39½	36½
3	5	137	125	112	99	87	80	72	64	68	62	56	51	45	42	37½	34½
5	10	140	127	113	101	89	81	74	65	70	63	58	52	47	44	39½	36½
10	15	142	128	116	102	93	84	76	68	72	65	59	53	49½	45	42	37½
15	20	144	130	117	104	95	86	78	70	74	68	61	55	51½	47	43	38½
20	25	146	132	119	105	98	89	80	72	76	70	62	56	54	49½	45	41
25	30	148	134	121	106	100	91	82	73	78	72	64	58	56	51½	46	42
30	35	150	137	122	108	103	94	84	75	80	73	67	59	58	54	48	44
35	40	151	138	123	109	105	96	87	77	81	74	67	60	59	54	49½	44
40	45	154	139	125	111	109	99	89	79	83	76	69	61	61	56	50½	46

MINIMUM CHARGES

The minimum charge per shipment shall be as follows:

<u>Weight of Shipment</u>	<u>MINIMUM CHARGE IN CENTS</u>
25 pounds or less	78
Over 25 pounds but not over 50 pounds	89
Over 50 pounds but not over 75 pounds	105
Over 75 pounds but not over 100 pounds	120
Over 100 pounds	133

The foregoing rates and minimum charges include delivery from carriers' vehicles to customers of Sears, Roebuck and Company.

(End of Appendix "A".