

ORIGINAL

Decision No. 53347

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WALKUP)	
DRAYAGE & WAREHOUSE COMPANY, a corporation,)	
for authority to depart from the rates, rules)	Application No. 37490
and regulations of Minimum Rate Tariff No. 2)	(Second Supplemental)
for transportation service rendered S & W)	
Fine Foods and Equitable Cash Grocery.)	

INTERIM SUPPLEMENTAL OPINION AND ORDER

By Decisions Nos. 52343 and 52773 dated December 12, 1955 and March 13, 1956, respectively, in this proceeding, Walkup Drayage and Warehouse Company was granted authority under Section 3666 of the Public Utilities Code to deviate from the established minimum rates for transportation of property for S & W Fine Foods and Equitable Cash Grocery. The authorized deviation expired on June 5, 1956. By the Second Supplemental Application, filed June 15, 1956, reinstatement of the authority is sought. Applicant proposes to increase the previously authorized rates as set forth in the supplemental application.

Decisions Nos. 52343 and 52773 granted the minimum rate relief on a temporary basis to permit the applicant sufficient time to offer further justification in support of the authority. The Second Supplemental Application, herein considered, states that applicant has now had sufficient experience to make a determination of the rates it should assess. A cost and revenue study submitted with the supplemental application purports to show that the proposed rates will be compensatory. However, the study is not complete and applicant's allegations are not fully persuasive that the sought authority should be granted without further investigation. Also, the special rate authority herein sought may be granted only to a "highway carrier other than a highway common carrier" (Pub. Util. Code, Sec. 3666); and Section 3542 of the Public Utilities Code prohibits operation both as a common carrier and as a highway contract carrier of the same

commodities between the same points. The question of applicant's relationship with Merchants Express Corporation, a highway common carrier, which transports general commodities between points involved in this application, has not been resolved in this proceeding.

Upon consideration of all of the circumstances, the sought authority will be granted for a ninety-day period in order to allow applicant opportunity to offer further justification at a public hearing in support of its proposal.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Walkup Drayage & Warehouse Company, a corporation, be and it is hereby authorized to transport commodities for S & W Fine Foods and Equitable Cash Grocery, as described in and subject to the conditions and restrictions set forth in Appendix "A" attached hereto and made a part hereof, between the plant of said companies and 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"; and that the authority herein granted shall expire November 3, 1956, unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 10th day of July, 1956.

John E. Arnold
President

Justice J. Casner
Paul J. Lerner

Walter H. Hoole

R. H. King
Commissioners

APPENDIX "A" TO DECISION NO. 53347

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

SHIPPING AND INHAUL

	500 pounds and under	\$ 2.35 per shipment
Over	500 pounds to 2,000 pounds	4.00 per shipment
Over	2,000 pounds to 4,950 pounds	.20 per 100 pounds
Over	4,950 pounds to 6,000 pounds	9.90 per shipment
Over	6,000 pounds to 20,000 pounds	.16 $\frac{1}{2}$ per 100 pounds
Over	20,000 pounds to 23,571 pounds	33.00 per shipment
Over	23,571 pounds to 25,714 pounds	.14 per 100 pounds
Over	25,714 pounds to 30,000 pounds	36.00 per shipment
Over	30,000 pounds	.12 per 100 pounds

Deliveries in San Francisco (1) \$3.80 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.

- (1) Not subject to the provisions of tailgate loading and tailgate unloading as defined in Item No. 60-A of City Carriers' Tariff No. 1-A or 11-E of Minimum Rate Tariff No. 2.

End of Appendix.