

ORIGINALDecision No. 54616

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
 the rates, rules, regulations, charges,)
 allowances and practices of all common)
 carriers, highway carriers and city)
 carriers, relating to the transportation)
 of property in the City and County of)
 San Francisco and the Counties of Alameda,)
 Contra Costa, Marin, Monterey, Napa,)
 Santa Clara, Santa Cruz, San Benito, San)
 Mateo, Solano and Sonoma.)

Case No. 5441
(Petition No. 20)

Russell Bevans, for Draymen's Association of
 San Francisco, Inc., petitioner.

James M. Cooper, for San Francisco Chamber
 of Commerce, intervenor in support of
 petition.

A. T. Eche, for California Retailers Association
 and for F. W. Woolworth Co.; W. M. Cheatham,
 for Western Traffic Conference, Inc.,
 Dohrmann Commercial Co. and Dohrmann Hotel
 Supply Co.; Rex M. Nielson, for William
 Volker & Co.; Milton A. Walker, for
 Fibreboard Paper Products Corporation;
Natalie Gail, for Gale Messengers; William J.
Keane, for United Transfer Co.-Carley &
 Hamilton, Inc.; J. J. Deuel and Joseph Q. Joynt,
 for California Farm Bureau Federation; A. J.
Matejk and Arlo D. Poe, for California
 Trucking Associations, Inc.; James Quintrall,
 for Western Motor Tariff Bureau; interested
 parties.

O P I N I O N

By this petition, as amended, Draymen's Association of
 San Francisco, Inc., seeks reductions in the classification ratings
 applicable to the transportation of certain commodities between
 points in San Francisco under the minimum class rates named in City
 Carriers' Tariff No. 1-A. The commodities in issue are: boots,
 shoes, candy, confectionery, glassware, other than cut, magazines,

periodicals, tires, toys and games. The record discloses that the ratings applicable on these commodities within San Francisco are higher than those applying within the East Bay drayage area under the provisions of City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A. Petitioner proposes that the San Francisco ratings be reduced to the levels of those obtaining under the East Bay tariff. A comparison of the classification ratings presently applicable on the commodities in question under City Carriers' Tariff No. 1-A with those sought to be established is set forth in Appendix "A", attached hereto.

Public hearing of the petition was held before Commissioner Matthew J. Dooley and Examiner Carter R. Bishop at San Francisco on November 16, 1956.

Petitioner's secretary-manager testified in support of the proposal. He explained that the classification ratings in question are published as exceptions ratings in City Carriers' Tariff No. 1-A, that they are higher than those named in the Western Classification¹, and that they supersede the latter in so far as the class rates named in the aforesaid tariff are concerned. In the East Bay drayage area, the witness testified, most of the ratings on the commodities here in issue are those provided in the Western Classification, resulting in lower ratings than those applicable in San Francisco. In the case of candy, confectionery and tires, the record shows, the East Bay ratings are named in exceptions items of City Carriers' Tariff No. No. 2-A - Highway Carriers' Tariff No. 1-A.

The petition herein was filed, the witness stated, at the request of shippers of the commodities for which the reduced

¹ The term "Western Classification" as used herein refers to Western Classification No. 76, issued by George H. Dumas, Agent. The class rates in City Carriers' Tariff No. 1-A are governed by that classification, except to the extent that provisions to the contrary are contained in the tariff itself.

classification ratings are sought. These companies, he said, extensively utilize the services of the San Francisco draymen in the transportation of those commodities under the class rates named in City Carriers' Tariff No. 1-A. They have informed the draymen that if the ratings applicable in San Francisco are not reduced to the same basis as those prevailing in the East Bay area the San Francisco draymen will lose the traffic in question, which will be transferred to the East Bay.

In this connection, the witness explained that primarily this traffic moves by rail, and in some instances by water, from eastern origin points to San Francisco, where it is handled in drayage movement and accessorial operations. If the traffic were diverted to Oakland and distributed from warehouses in the East Bay area lower drayage costs would be experienced. Moreover, the witness stated, it would be cheaper, with respect to most of the commodities involved, to consign the transcontinental shipments to Oakland and to transport them by truck therefrom to San Francisco than to consign the shipments directly to the latter point, with subsequent drayage movements under City Carriers' Tariff No. 1-A. The reason for this, the record discloses, is that the transbay rates, being subject to the Western Classification ratings, result in lower charges than obtain under the San Francisco drayage tariff. Assertedly, this disadvantage to the San Francisco draymen would be removed by the granting of the petition herein.

The costs of handling and transporting the commodities in issue, the secretary testified, are almost identical in San Francisco with those experienced in the East Bay area and in each instance the carrier handling and transporting said commodities has stated that the proposed reduced classification ratings would be reasonable, compensatory and in the public interest.

The record indicates that there are many other commodities, aside from those embraced by this petition, which are subject to higher classification ratings under the San Francisco minimum rate tariff than under the East Bay tariff. The instant request, the secretary said, has been limited to those articles as to which reductions have been requested by interested shippers. The Association, he stated, is currently making studies of other commodities which are moving in substantial quantities and may, at a later date, approach the Commission with a request for equalization of San Francisco with the East Bay with respect to the classification ratings on those additional articles.²

Testimony in support of the request was given also by the traffic manager of Dohrmann Commercial Company, a heavy shipper of glassware, and by the assistant manager of the transportation department of the San Francisco Chamber of Commerce. The first of these witnesses stated that the granting of the petition may result in returning to the San Francisco draymen as pool shipments some of the carloads of glassware which are now consigned directly to Dohrmann's warehouse. This witness also testified on behalf of the Western Traffic Conference, an association comprised principally of the major retail drygoods stores and specialty shops of San Francisco. Its members handle a large volume of boots, shoes, toys, games and glassware, and to some extent candy and confectionery. This traffic moves into San Francisco in pool cars, as well as by other means of transportation. This witness stated that a reduction of the unloading charge for such shipments would be helpful in returning to the

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Questioning of the secretary-manager by representatives of shippers disclosed that the latter are interested in rating equalization on the following commodities not embraced by the petition herein: chinaware, earthenware, pottery, drugs, toilet preparations and fibreboard boxes, knocked down.

San Francisco draymen traffic which now moves via other transportation agencies.³ The witness for the San Francisco Chamber of Commerce stated that the Chamber wished to see a parity of drayage charges as between San Francisco and the East Bay area.

The record discloses that the classification ratings now being challenged have been in effect ever since 1936, when minimum drayage rates for San Francisco were first prescribed by Decision No. 28632 in Case No. 4084.⁴ A review of that decision shows that the classification ratings as adopted by the Commission had been proposed by the draymen through their association. Under that proposal classification ratings for commodities most frequently transported were those which were being applied prior to the establishment of minimum rates; those ratings, including the particular ratings here in issue, were published specifically in the minimum rate tariff. On all other commodities the ratings in the Western Classification were proposed and adopted.

The record discloses also that the circumstances under which lower ratings on the commodities involved herein are applicable within the East Bay drayage area than within San Francisco have likewise long prevailed. Whatever may have been the effect on the San Francisco draymen, during that period, of such disparity in ratings, the present record discloses that the proposed equalizations are necessary if the loss by the San Francisco draymen of a substantial

³ City Carriers' Tariff No. 1-A contains, in addition to the class rates for transportation, certain class rates for the unloading or segregation of pool shipments. These latter rates also are subject to the classification ratings here in issue.

⁴ 39 CRC 665.

volume of traffic of said commodities is to be avoided. Moreover, the proposed modifications, if adopted, would constitute a step toward uniformity in minimum classification ratings within the San Francisco Bay metropolitan area.

It is here noted that there is now pending before this Commission a general review⁵ of the minimum rates, rules, regulations and classifications applicable within a 12-county area centering on San Francisco Bay, including those applicable within San Francisco. The conclusions and findings reached herein are without prejudice to those which may be later reached by the Commission pursuant to said general investigation.

Upon consideration of all the evidence of record, the Commission is of the opinion and hereby finds that the proposed modifications have been justified. The petition, as amended, will be granted.

O R D E R

Based on the evidence of record and on the conclusions and findings set forth in the preceding opinion,

IT IS ORDERED that City Carriers' Tariff No. 1-A (Appendix A of Decision No. 41363 as amended) be and it is hereby further amended by incorporating therein the revised pages attached hereto and by reference made a part hereof, to become effective April 15, 1957, which pages are numbered as follows:

Seventh Revised Page 3 Cancels Sixth Revised Page 3
Ninth Revised Page 4 Cancels Eighth Revised Page 4
Fourth Revised Page 6 Cancels Third Revised Page 6
Seventh Revised Page 7 Cancels Sixth Revised Page 7
Sixth Revised Page 26 Cancels Fifth Revised Page 26
Fourth Revised Page 28 Cancels Third Revised Page 28
Third Revised Page 29 Cancels Second Revised Page 29
Third Revised Page 31 Cancels Second Revised Page 31

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Pursuant to the Commission's Order Setting Hearing, dated February 15, 1955, in Case No. 5441.

In all other respects said Decision No. 41363, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 5th day of March, 1957.

John E. Mitchell
President
Ralph Winterman
Maxwell Doble
F. H. Harty
C. L. Fox
Commissioners

APPENDIX "A"

Comparison of Classification Ratings Sought Herein
With Those Presently in Effect

<u>Commodity</u>	<u>Proposed Rating</u>	<u>Present Rating</u>	<u>#Item No. (Series)</u>
Boots	1	1½ x 1	330
Shoes	1	1½ x 1	330
Candy	4	3	280
Confectionery	4	3	280
Glassware, Other than cut, N.O.I.B.N.	3	1	300
Tires	1	1½ x 1	330
Toys	*1 or **2	*1½ or **1	330
Games	*1 or **2	*1½ or **1	330
Magazines	4	3	310
Periodicals	4	3	310

Item of City Carriers' Tariff No. 1-A
in which presently applicable rating
is named.

* Other than iron or steel.

** Iron or steel.

INDEX OF COMMODITIES

Only those articles which are named in commodity items or in Exceptions to the Current Classification are shown in the following list.

Commodity	Item Number	Commodity	Item Number
Apples	610,700	Boxes, fibreboard (paper)	280
Artichokes	660	Butter	280
Asparagus	660	Cabbage	660
Avocados	620	Cabinets, N.O.S.	300
Babbitt Metal, Bar, Pig or Slab	280	Cabinets, File	300
Bagging	280	Candy and Confectionery	280
Bags	280	Cans	290
Bananas	620	Cantaloupes	640
Barrels	280,290	Carbon paper	320
Batteries	280	Carrots	660
Beans	660	Casabas, Melons	640
Beans, vanilla	300	Celery	660
Beets	660	Cereal Food Preparations	390
Berries	610	Cereals, Prepared	290
***	Chain, Iron or Steel	300
Boxes	600	Chairs, Iron or Steel	300
		Cheese	290

*** Boots or Shoes eliminated, Decision No. 54616

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San Francisco, California.

Correction No. 245

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity items or in
 Exceptions to the Current Classification are shown in the following list.

Commodity	Item Number	Commodity	Item Number
Chinaaware, N.O.I.B.N.	290	Dessert Preparations	300
Chips, Soap	330	Dishes, paper	320
Cocoanuts	620	Earthenware, N.O.I.B.N.	290
Coffee Extract, dry	300	Feed	395
Coffee, Green	400,410	File Cabinets	300
Coffee, Roasted	300	Fillers, wood	320
Conduit	320	Fish	300
Containers, Empty	290,690	Flour	390,392
Corn	660	Foodstuffs	300
Corn Grits	395	Freezers	300
Cranberries	610	Freight	425
Crates	690	Fruit, Fresh, N.O.S.	630
Crockery	290	Furniture, N.O.S.	300
Cucumbers	660	Furniture, Office	460
Cutlery	300	***	
Desks, Steel	300		

*** Games eliminated, Decision No. 54616

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 San Francisco, California.
 Correction No. 246

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity items or in Exceptions to the Current Classification are shown in the following list.

Commodity	Item Number	Commodity	Item Number
Machinery	310	Paper	320
***		Paper, Newsprint	320,470
Malt	395	Paper, Articles	320
Malt Liquors	310	Patterns, paper	320
Margarine	310	Peaches	610
Meats, Canned	300	Pears	610,700
Melons, N.O.S.	650	Peas	670
Nails	300	Peppers, Green	670
Newsprint Paper	320,470	***	
Oil, Lubricating	310	Persian Melons	640
Olives	300	Pickles	300
Onions, Dry	660	Pineapples	620
Oranges	600	Pipe	320
Paints	320	Plates, paper	320
		Plums	610
		Potatoes, N.O.S.	660
		Potatoes, Sweet	670
		Prunes	610

*** Magazines and Periodicals eliminated, Decision No. 54616

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Correction No. 247

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity items or in
 Exceptions to the Current Classification are shown in the following list.

Commodity	Item Number	Commodity	Item Number
Refrigerators	320	Squash	670
Rhubarb	670	Straw	690
Rice	500	Sugar	530
Rice Mill Products	500	Syrups	300
Rope	320	Table Sauces	300
Safes or Safe Parts	320	Tablets, Steel	300
Sash Weights	300	Tablets, paper	320
Scrap paper	320	Tangerines	600
Shaving Cream	330	Thinners, paint	320
Shellacs	320	Tile	330
***		Tires, Pneumatic	330
Shower Baths or Shower Cabinets	330	Toilet paper	320
Soap, Soap Powder & Soapchips	330	Toilet Preparations	330
Solvents, paint	320	Tomatoes	670
Spices	330, 410	Towels, paper	320
Spikes	300	***	

*** Shoes or Boots and Toys and Games eliminated, Decision No.

54616

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 Correction No. 248

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO CURRENT CLASSIFICATION (Continued)	
	Commodity	Less-than-Carload Rating
	Babbitt Metal, bars, pigs, slabs, or scrap	4
	Bags, Bagging, Burlap, in compressed bales	4
	Barrels, wooden, viz:	
	Beer	3.
	Wine	1 $\frac{1}{2}$
	Other than Beer or Wine	D1
*280-F Cancels 280-E	Batteries, electric, storage, assembled, noibn,	2
	in packages	1
	loose	1
	Boxes, fibreboard (paper),	
	S.U.	D1
	K.D.	2
	Butter, dairy, in Cartons	3
	Candy or Confectionery, as described under the	
	heading "Candy or Confectionery" in the	
	Classification	4
		o 4

* Change

o Reduction

) Decision No.

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Correction No. 249

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO CURRENT CLASSIFICATION (Continued)	
	COMMODITY	Less-than-Carload Rating
	Foodstuffs, viz: Beans, vanilla Coffee, extract of (condensed coffee), dry Coffee, roasted Dessert Preparations, dry, N.O.I.B.N. Juice, fruit or vegetable, canned (not frozen) Syrups	1 3 3 2 4 4
	Foodstuffs, viz: Fish, canned, Honey, Jams, Jellies, Meats, canned, Olives, Pickles, Table Sauces, Vinegar, In packages each weighing less than 30 pounds In packages each weighing 30 pounds or over	3 4
300-D Can- cels 300-C	Furniture, as described under that heading in the Classification, viz: Cabinets, N.O.S. Cabinets, File, insulated or not insulated, fire resistant or not fire resistant Chairs, iron or steel, with or without padded seats and backs, S.U., in fibre-board boxes Desks, steel Furniture, N.O.S. Hammocks Lockers, steel, S.U. K.D., in boxes or crates K.D., loose Tables, steel and wood combined, K.D., or folded flat, in fibreboard boxes	1½ 1½ 1½ 1½ 1½ 1 1½ 3 1 2
	Freezers, as described in Item No. 30650 of the Classification	1
	Glassware, cut, N.O.I.B.N.	1½
	*Glassware, other than cut, N.O.I.B.N.,	
	actual value exceeding 25¢ per pound	a 1
	actual value not exceeding 25¢ per pound	b 3
	Gum, Arabic	3

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO CURRENT CLASSIFICATION (Continued)	
	Commodity	Less-than-Carload Rating
	Liquors, Beverage, viz.:	
	Liquors, alcoholic, Domestic, N.O.I.B.N. (Inhaul, shipping, and transportation from liquor bottling plants to wholesalers or public warehouses, only)	3
	Liquors, alcoholic, Imported, N.O.I.B.N. (Inhaul or shipping, only)	2
	Liquors, Malt, viz.:	
	Ale, Beer, Porter and Stout	
	In packages each weighing less than 30 pounds	3
	In packages each weighing 30 pounds or over	4
	Wine or Vermouth, having a declared value not exceeding \$2.00 per gallon, in glass in boxes	3
*310-C Cancels 310-B	Machinery, on skids or in boxes	1½

	Margarine	3
	Oil, lubricating, petroleum	3

*Change
 ***Magazines or Periodicals eliminated, } Decision No. 54616
 classification ratings apply. }

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Correction No. 251

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO CURRENT CLASSIFICATION (Continued)	
	Commodity	Less-than-Carload Rating
	Shaving Cream	2

	Shower Baths or Shower Cabinets	2½
	Soap, Soap Chips and Soap Powder	3
	Spices,	
	in bags, pails or in inner containers	2
	in barrels or boxes	3
	Tile,	
	Hollow building	4
	N.O.S.,	
	In barrels, boxes or crates	3
	Loose	1
*330-C Cancels 330-B	Tires, pneumatic	1
	Toilet Preparations, N.O.I.B.N.	2

* Change
 ⚡ Reduction
 *** Shoes or Boots and Toys or Games eliminated, classification ratings apply.) } Decision No. 54616

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