

ORIGINAL

Decision No. 56383

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 general commodities (commodities for)
which rates are provided in Minimum Rate)
Tariff No. 2).)

Case No. 5432
(Order Setting Hearing
dated December 10, 1957)

In the Matter of the Application of the)
Stockton Chamber of Commerce for extension)
of the Stockton pickup and delivery zone)
and for exemption of that zone by excep-)
tion in Item 30-N of Minimum Rate Tariff)
No. 2, issued by the Public Utilities)
Commission of the State of California.)

Application No. 39509

J. C. Sommers for Stockton Chamber of
Commerce, applicant.
J. C. Kaspar, A. D. Poe and J. X. Quintrall
for California Trucking Associations, Inc.;
John MacDonald Smith for Southern Pacific
Company and Pacific Motor Trucking Co.;
and Richard A. Bennett for West Coast Freight
Traffic Bureau; interested parties.

O P I N I O N

By Application No. 39509, the Stockton Chamber of Commerce requests that the pickup and delivery limits for Stockton as described in Minimum Rate Tariff No. 2 be enlarged to include certain territory contiguous to Stockton. Applicant also requests that transportation

within the proposed enlarged area be exempted from application of the
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minimum rates.

Public hearing was held before Examiner William E. Turpen on January 28, 1958, at Stockton.

The manager of the Industrial-Transportation Department of the Stockton Chamber of Commerce testified that the pickup and delivery zone of Stockton described in Minimum Rate Tariff No. 2 has not been changed since 1942, that since then some street names have been changed, and that the commercial and industrial areas of Stockton have expanded out beyond the area presently included in the pickup and delivery zone. He also said that there is no remaining land area for industrial development within the city limits of Stockton. The witness further testified that several new industries have recently located in the area sought to be included in the pickup and delivery zone, most of them in the area south of the city. Other areas included in the proposed extension, according to the witness, contain recently developed shopping centers or are areas suitable for future industrial growth. He pointed out that by Decision No. 55389, dated August 13, 1957, in Application No. 39237, the railroads and Pacific Motor Trucking Company were authorized to extend their pickup and delivery limits to the same extent as sought in this application.

¹ Matters involving a change in Minimum Rate Tariff No. 2 are normally handled as a proceeding in Case No. 5432. As the request of the Stockton Chamber of Commerce was filed as an application, and to insure continuity in the various amendatory orders involving the tariff, an Order Setting Hearing in Case No. 5432 was issued December 10, 1957, covering the same subject matter as Application No. 39509. The two matters were consolidated for hearing and decision.

In regard to the sought exemption from the minimum rates of transportation performed within the expanded area, the witness testified that shippers located in the area outside of the city limits compete with shippers located within the city and that the necessity of paying the minimum rates named in Minimum Rate Tariff No. 2 for local shipments places them at a disadvantage.²

Representatives of several of the industrial plants which have recently located in the area in question testified in support of the proposed enlargement and exemption. They stressed the competitive necessity of uniformity of rates with Stockton on shipments to and from other points, and on shipments between points within the proposed expanded area.

The Director of Research of the California Trucking Associations, Inc., stated that his organization has no objection to the proposed enlargement of the pickup and delivery zone, but does object to the sought exemption from the minimum rates. His position is that extension of exempt areas tends to tear down the minimum rate structure, that it has not been established that the minimum rates are unreasonable, and that there is no more reason to exempt the area involved than there exists at other points.

It is clear from the record that the commercial and industrial area of Stockton has grown beyond the city limits and into the enlarged area here proposed. Those industries and shippers located in the expanded area are as much a part of the commercial life of

² Minimum rates have not been established for intracity transportation of general commodities within the City of Stockton.

Stockton as similar industries located within the city limits. It appears that transportation between points in the proposed area and between that area and points within the city limits is similar to transportation entirely within the City of Stockton. From time to time, the Commission has exempted transportation performed within various metropolitan areas surrounding cities which have developed beyond their political boundaries. The Commission is of the opinion, and so finds, that the situation at Stockton falls within the same category and should be given like treatment. The application will be granted and Minimum Rate Tariff No. 2 will be amended accordingly.

O R D E R

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

IT IS ORDERED that Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606 as amended) be and it is hereby further amended by incorporating therein, to become effective April 20, 1958, Second Revised Page 13-A and First Revised Page 31-C, which pages are attached hereto and by this reference made a part hereof, and that tariff publications authorized to be made by common carriers as a result of the order herein may be made effective on not less than

five days' notice to the Commission and the public if filed not later than sixty days after the effective date of the tariff changes.

In all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 17th day of March, 1958.

John E. Bradwell
President
Joseph L. Lintner
William H. Deal
E. J. Fox

Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL (Concluded) (Items Nos. 30 and 31)</p> <p>(i) Shipments having both point of origin and point of destination within the metropolitan Modesto area embraced by the following boundaries (includes both sides of streets, boulevards, roads, avenues or highways named):</p> <p style="padding-left: 40px;">All of the City of Modesto, also the territory bounded as follows:</p> <p style="padding-left: 80px;">Beginning at the point where the southerly city limits diverge from the Tuolumne River at Beard Brook; thence southerly and easterly along the Tuolumne River to its intersection with Riverside Drive; thence northerly along Riverside Drive to Yosemite Boulevard; thence westerly along Yosemite Boulevard to the city limits at El Vista Avenue.</p> <p>(j) Shipments having both point of origin and point of destination within the metropolitan Crescent City area embraced by the following boundaries:</p> <p style="padding-left: 40px;">All of the City of Crescent City, also territory located within three miles of the city limits.</p> <p>(k) Shipments having both point of origin and point of destination within the Watsonville area embraced by the following boundaries:</p> <p style="padding-left: 40px;">All of the City of Watsonville, also the territory bounded as follows:</p> <p style="padding-left: 80px;">All points and places within two miles of Wall and Main Streets, Watsonville, and all points on or within one-fourth mile of Freedom Boulevard between the corporate city limits of Watsonville and a point commonly known as 5 Mile House, approximately three miles northwest of the corporate city limits of Watsonville.</p> <p>*(l) Shipments having both points of origin and destination within the Stockton pickup and delivery zone as described in Item No. 260-9 of this tariff.</p> <p>NOTE 1.-The exceptions provided in Items 30 and 31 do not apply in connection with the transportation of split pickup or split delivery shipments having one or more points of origin or destination outside of the cities or areas designated in this item.</p>
<p>*31-B Cancels 31-A</p>	
	<p>* Change) Decision No. 56383 # Addition)</p>
EFFECTIVE APRIL 20, 1958	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 807</p>	

Item No.	SECTION NO. 1-RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
<p>*260-9-1 Cancels 260-9</p>	<p>PICKUP AND DELIVERY ZONES (Continued)</p>
	<p>*STOCKTON: (Mileage Basing Point Stockton.) All of the City of Stockton, also the territory bounded as follows:</p>
	<p>Beginning at the junction of the San Joaquin and the Calaveras Rivers, easterly along the Calaveras River to the city limits, northerly on an imaginary line to March Lane, westerly, northerly and easterly along the west boundary of the city limits to Don Road, northerly on Don Road to Lucille Avenue, easterly on Lucille Avenue to Thornton Road, southeasterly along Thornton Road to Paloma Avenue, easterly along Paloma Avenue to the city limits, northerly, easterly and southerly along the city limits to Hammer Lane, easterly along Hammer Lane to U. S. Highway 99, southerly along U. S. Highway 99 to the Central California Traction Company's right-of-way, easterly to Hubbard Avenue, southerly along Hubbard Avenue and an imaginary line including the Wilcox Road to the Diverting Canal, southeasterly along the Diverting Canal to the Southern Pacific Company's right-of-way, easterly along the Southern Pacific Company's right-of-way, to a point opposite to the Budd Road, southerly to East Main Street, westerly along East Main Street to Walker Lane, southerly on Walker Lane and an imaginary line to the Carpenter Road, westerly along the Carpenter Road to Sharps Lane, southerly on Sharps Lane to the Sperry Road, including Stockton Field Airport, westerly on Sperry Road and continuing westerly along an imaginary line to U. S. Highway 50 and the French Camp Slough, northerly along the French Camp Slough to the San Joaquin River, northerly along the San Joaquin River to the junction of the Calaveras River, and including the U. S. Naval Supply Annex on Rough and Ready Island.</p>
	<p>TURLOCK: (Mileage Basing Point, Turlock.) All of the City of Turlock, also the territory bounded as follows:</p>
<p>Beginning at the intersection of the northern city limits and North Broadway, northwesterly along North Broadway to old Highway U. S. 99 at Almond Avenue, northwesterly along old Highway U. S. 99 to new Highway U. S. 99, southeasterly along new Highway U. S. 99 to Almond Avenue, easterly along Almond Avenue to Geer Avenue, northerly along Geer Avenue to Wayside Drive, easterly along Wayside Drive to Pioneer Avenue, southerly along Pioneer Avenue to its intersection with the northern city limits.</p>	
<p>Beginning at the intersection of the southeastern city limits and South Center Street, southeasterly along South Center Street to old Highway U. S. 99, northerly along old Highway U. S. 99 to its intersection with the city limits at D Street.</p>	
<p>UKIAH: (Mileage Basing Point, Ukiah.) All of the City of Ukiah, also the territory bounded as follows:</p>	

Beginning at the intersection of the northern city limits and Highway U. S. 101, northerly along Highway U. S. 101 to Brush Street, easterly along Brush Street to Orr Street, southerly along Orr Street to the northern city limits.

Beginning at the intersection of the southern city limits and Northwestern Pacific Railroad Company right-of-way, southerly along said right-of-way to Talmadge Road, westerly along Talmadge Road to Highway U. S. 101, northerly along Highway U. S. 101 to southern city limits.

(Continued)

* Change, Decision No. 56383

EFFECTIVE APRIL 20, 1958

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.

Correction No. 808