

ORIGINAL

Decision No. 5432

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 pro-)
vided in Minimum Rate Tariff No. 2).)

Case No. 5432
Petition for Modification
No. 106

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 2 names rates for the transportation of general commodities between all points in California with certain exclusions. These exclusions include the following, as set forth in Paragraph (e) of Item No. 30-0 of the aforementioned tariff:

" (e) Shipments (1) between Sacramento and North Sacramento; (2) between Sacramento and West Sacramento; (3) between said cities on the one hand and the adjacent plants of the Lumbermen's Supply, Inc., Swanston & Son, Sacramento Wool Company, Sacramento Feed Company, Essex Lumber Company, Campbell Soup Company, McKesson & Robbins, Inc., Howard Terminal Warehouse, and Royal Packing Company on the other hand; (4) between said cities and plants on the one hand and the Sacramento Air Depot, the Sacramento Municipal Airport and the Sacramento Signal Depot on the other hand; and (5) between the Sacramento Air Depot, the Sacramento Municipal Airport and the Sacramento Signal Depot;"

By this petition, Howard Terminal seeks enlargement of the above exclusion to include transportation between any of the named points and plants.

The petition shows that Howard Terminal is engaged in the handling and storage of general commodities in direct competition with other public warehousemen located in Sacramento and West Sacramento; that competing warehousemen are in many instances located a greater distance than petitioner from plants named in the exclusion quoted above; and that under the current exemption transportation between competing warehousemen and the aforementioned plants is exempt from the established minimum rates, while transportation from petitioner's warehouse to such plants is subject to higher rates under the minimum rate scale.

Petitioner further alleges that transportation between the various points and plants involved possesses the characteristics of local drayage rather than over-the-road traffic.

The petition shows that on or about March 21, 1958, interested parties were served with a copy of the petition. No objection to its being granted has been received.

In the circumstances, it appears, and the Commission finds, that the transportation between all points named in Paragraph (e) of Item No. 30-0 of Minimum Rate Tariff No. 2 should be accorded like treatment. The petition will be granted with language modification deemed necessary for clarity.

In addition, it has come to the Commission's attention that the plants of Swanston & Son and Sacramento Feed Company now named in the exception are no longer in existence, and that the plant of Sacramento Wool Company has been sold. These names, therefore, will be deleted from the aforesaid Paragraph (e) of Item No. 30-0. A public hearing is not necessary.

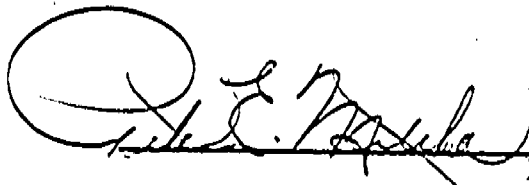
Therefore, good cause appearing,

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 June 1, 1958, Eighteenth Revised Page 13, which page is attached hereto and by this reference made a part hereof.


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.

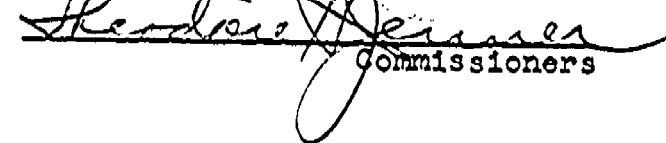
Dated at San Francisco, California, this 29th day of April, 1958.



President






Commissioners

Cancels

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
<p>*30-p Cancels 30-c</p>	<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL (Items Nos. 30 and 31)</p> <p>Subject to Note 1 of Item No. 31 the rates in this tariff apply for transportation of shipments between all points within the State of California, except:</p> <p>(a) Shipments having point of origin in Alameda, Albany, Berkeley, Emeryville, Oakland or Piedmont, and point of destination in another of those cities;</p> <p>(c) Shipments having both point of origin and point of destination within the San Diego Drayage Area as described in Minimum Rate Tariff No. 9-A.</p> <p>(d) Shipments having both point of origin and point of destination within the Los Angeles Drayage Area, as described in Minimum Rate Tariff No. 5;</p> <p>* (e) Shipments (1) between Sacramento and North Sacramento; (2) between Sacramento and West Sacramento; (3) between said cities on the one hand and the adjacent plants of the Lumbermen's Supply, Inc., Essex Lumber Company, Campbell Soup Company, McKesson & Robbins, Inc., Howard Terminal Warehouse, and Royal Packing Company on the other hand; (4) between said cities and plants on the one hand and the Sacramento Air Depot, the Sacramento Municipal Airport and the Sacramento Signal Depot on the other hand; (5) between the Sacramento Air Depot, the Sacramento Municipal Airport and the Sacramento Signal Depot; and (6) between any of the communities, plants, or other locations identified in this paragraph;</p> <p>(f) Shipments between Marysville and Yuba City and between said cities on the one hand and the adjacent plant of the Harter Packing Company on the other hand;</p> <p>(g) Shipments between the Sonora Freight depot of the Sierra Railroad Company and Sonora;</p> <p>(h) Shipments having both point of origin and point of destination within the metropolitan Fresno area embraced by the following boundaries (includes both sides of streets, boulevards, roads, avenues or highways named):</p> <p>Beginning at the intersection of Hayes Avenue and Shaw Avenue, easterly along Shaw Avenue to U.S. Highway 99, northwesterly along U.S. Highway 99 to the San Joaquin River, easterly along the San Joaquin River to Friant Road, southerly along Friant Road to Alluvial Avenue, easterly along Alluvial Avenue to Fresno Avenue, southerly along Fresno Avenue to Herndon Avenue, easterly along Herndon Avenue to Chestnut Avenue, southerly along Chestnut Avenue to Shaw Avenue, easterly along Shaw Avenue to Fowler Avenue, southerly along Fowler Avenue to Jensen Avenue, westerly along Jensen Avenue to Willow Avenue, southerly along Willow Avenue to Central Avenue, westerly along Central Avenue to U.S. Highway 99, northwesterly along U.S. Highway 99 to North Avenue, westerly along North Avenue to Marks Avenue, northerly along Marks Avenue to Jensen Avenue, westerly along Jensen Avenue to Cornelia Avenue, northerly along Cornelia Avenue to Kearney Avenue, westerly along Kearney Avenue to Hayes Avenue, northerly along Hayes Avenue to point of beginning.</p> <p style="text-align: center;">(Continued in Item No. 31)</p>

* Change , Decision 50624

EFFECTIVE June 1, 1958

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

Correction No. 817