

ORIGINAL

Decision No. 57122

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 for
Modification No. 29

In the Matter of the Investigation into the rates, rules and regulations, charges, allowances and practices of all common carriers, highway carriers and city carriers relating to the transportation of any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

Case No. 5432
Petition for
Modification No. 110

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 Los Angeles and Orange Counties (transportation for which rates are provided in Minimum Rate Tariff No. 5).

Case No. 5435

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 within San Diego County (including transportation for which rates are provided in Minimum Rate Tariff No. 9-A).

Case No. 5439

SUPPLEMENTAL OPINION AND ORDER

Section 3-A of Minimum Rate Tariff No. 2 contains, with certain exceptions, monthly vehicle unit rates, rules and regulations applicable statewide on general commodities. One of these exceptions provides that the rates do not apply to shipments having both point of origin and destination within the so-called "East Bay drayage area." Transportation of general commodities

under monthly vehicle unit rates within the East Bay drayage area is subject to the provisions of City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A.

By petitions filed May 29, 1958, and June 9, 1958, in Cases Nos. 5432 and 5441, respectively, the California Packing Corporation seeks amendment of the rates, rules and regulations currently governing these monthly vehicle unit rates to provide that the same unit of carriers' equipment may be used under either of the aforementioned tariffs subject to the higher of the charges applicable under either of the tariffs.

Petitioner points out that shippers are burdened with the necessity of leasing equipment under the provisions of two separate tariffs. Assertedly flexibility of operations is also greatly curtailed because shippers are not permitted to utilize the equipment leased under the City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A and the equipment leased under the provisions of Minimum Rate Tariff No. 2 on an interchangeable basis. There is also the question as to the proper rates or charges to apply in the event a truck operating under one tariff is inadvertently used outside the area covered by such tariff and within the area under the other tariffs.

Petitioner has also called the Commission's attention to similar situations which exist in connection with transportation performed within the San Francisco, Los Angeles and San Diego Drayage areas under the provisions of City Carriers' Tariff No. 1-A and Minimum Rate Tariffs Nos. 5 and 9-A, respectively.

No objections have been received to the granting of this petition. The California Trucking Associations, Inc., concurs in the petitions.

It appears, and the Commission finds, that the proposed tariff amendments are reasonable. The petitions will be granted. The tariffs will be amended accordingly. A public hearing is not necessary. Separate orders will be issued in connection with each minimum rate tariff involved to avoid duplications of tariff distribution.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A(Appendix "A" of Decision No. 41362, as amended) be and it is hereby further amended by incorporating therein, to become effective August 29, 1958, Sixth Revised Page 48, which page is attached hereto and by this reference made a part hereof.

(2) 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 to the public, if filed not later than sixty days after the effective changes herein involved.

In all other respects, the aforesaid Decision No. 41362, as amended, shall remain in full force and effect.

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

Dated at Los Angeles, California, this 5th day of August, 1958.

E. Lynn Fox
President
Ray B. [unclear]
[unclear]
Theodore [unclear]
Commissioners

Item No.	SECTION 5 - HOURLY AND MONTHLY TRUCK RATES																			
	<p>*MONTHLY VEHICLE UNIT RATES, including driver and All Other Operating Expenses. (Subject to Notes 1 and 2.)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="text-align: center; border-bottom: 1px solid black;">Column 1</th> <th style="text-align: center; border-bottom: 1px solid black;">Column 2</th> <th style="text-align: center; border-bottom: 1px solid black;">Column 3</th> </tr> </thead> <tbody> <tr> <td>10,500 pounds or less</td> <td style="text-align: center;">730</td> <td style="text-align: center;">900</td> <td style="text-align: center;">16</td> </tr> <tr> <td>Over 10,500 pounds and not over 20,000 pounds</td> <td style="text-align: center;">850</td> <td style="text-align: center;">1050</td> <td style="text-align: center;">21</td> </tr> <tr> <td>Over 20,000 pounds</td> <td style="text-align: center;">970</td> <td style="text-align: center;">1170</td> <td style="text-align: center;">28</td> </tr> </tbody> </table> <p>Column 1 - Rates per month in dollars per unit of carrier's equipment for service exclusive of service on Saturdays, Sundays and Holidays. When equipment is operated in excess of 1,050 miles per month, add rates shown in Column 3.</p> <p>Column 2 - Rates per month in dollars per unit of carrier's equipment for service including service on Saturdays, Sundays and Holidays. When equipment is operated in excess of 1,250 miles per month, add rates shown in Column 3.</p> <p>Column 3 - Rates in cents per mile to be added to the Columns 1 and 2 rates when unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.</p> <p>NOTE 1.--Rates named herein apply during regular working hours. See Item No. 120 Series for additional charges for service at other than regular working hours. Subject to paragraph (b) of Item No. 90 Series when labor in addition to Driver is required.</p> <p>#NOTE 2.--Transportation performed under the provisions of this item may be combined with transportation performed under the monthly vehicle unit rates in Section 3-A of Minimum Rate Tariff No. 2 under the same written agreement. Such combined transportation shall be subject to the highest charge applicable under the provisions of another tariff.</p>		Column 1	Column 2	Column 3	10,500 pounds or less	730	900	16	Over 10,500 pounds and not over 20,000 pounds	850	1050	21	Over 20,000 pounds	970	1170	28			
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<p>*1100-E Cancels 1100-D</p>																				
<p>* Change) # Addition) Decision No. 57122 b Reduction)</p>																				
<p>EFFECTIVE AUGUST 29, 1958</p>																				
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p> <p>Correction No. 179</p>																				