

ORIGINAL

Decision No. 57824

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
ROBERTSON DRAYAGE CO., INC., a corpor-	)	
ation, for authority to depart from	)	
the rates, rules and regulations of	)	
City Carriers' Tariff No. 1-A, under	)	
the provisions of the City Carriers'	)	Application No. 29587
Act and from the rates, rules and	)	(Thirteenth Supplemental)
regulations of Highway Carriers'	)	
Tariff No. 2, under the provisions	)	
of the Highway Carriers' Act.	)	

FOURTEENTH SUPPLEMENTAL OPINION AND ORDER

Applicant holds radial highway common, highway contract, household goods carrier and city carrier permits. Prior orders in this proceeding have authorized it, as a highway contract carrier and city carrier, under Sections 3666 and 4015 of the Public Utilities Code, to deviate from the established minimum rates in connection with specialized transportation services it performs for Sears, Roebuck and Company between that company's warehouses and retail stores in San Francisco and Emeryville and from its retail stores to customers within 35 miles of San Francisco. This authority is scheduled to expire January 13, 1959. Permission is sought to continue to deviate from the minimum rates for a further one-year period. Applicant proposes to increase certain of the authorized rates, to make the "deluxe delivery service" rates inapplicable to the transportation of certain commodities, and to add the shipper's San Leandro warehouse as a pickup point.

The supplemental application states that, except for increased costs, the conditions surrounding the transportation in question which justified deviation from the minimum rates still obtain; and that the proposed increases in the rates are being made in recognition of increased costs experienced by applicant. The application alleges that the proposed rates are reasonable.

The supplemental application shows that on or about December 2, 1958, competing carriers were notified of the filing of the supplemental application. No objection has been received to its being granted.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and consistent with the public interest. The supplemental application will be granted. A public hearing is not necessary.

The special rate authority herein sought and granted is not applicable to common carrier services.<sup>1</sup> Section 3542 of the Public Utilities Code forbids carriers to operate both as a common carrier and as a highway contract carrier of the same commodities between the same points.<sup>2</sup> In view of the contract operation involved in this proceeding, the order herein will provide that during the period that the authority herein granted is in effect the applicant shall not engage in the transportation of the same commodities between the points involved in this authority as a radial highway common carrier.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Robertson Drayage Co., Inc., is hereby authorized to transport property for Sears, Roebuck and Company at rates and charges which differ from those established as minimum rates and

---

<sup>1</sup>

Section 3666 of the Public Utilities Code reads as follows:

"If any highway carrier other than a common carrier desires to perform any transportation or accessorial service at a lesser rate than the minimum established rates, the commission shall, upon finding that the proposed rate is reasonable, authorize the lesser rate."

<sup>2</sup>

Section 3542 of the Public Utilities Code reads as follows:

"No person or corporation shall engage or be permitted by the Commission to engage in the transportation of property on any public highway, both as a common carrier and as a highway contract carrier or as a common carrier and a petroleum contract carrier of the same commodities between the same points."

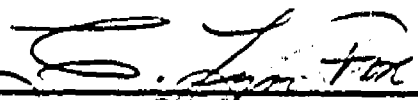


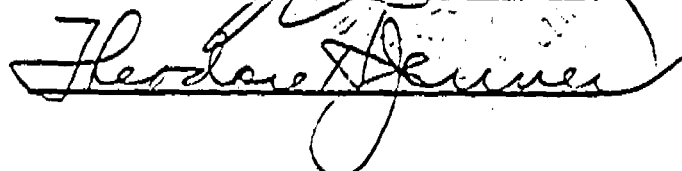
charges, but not lower than those set forth or specifically referred to in Appendix "A", which is attached hereto and by this reference made a part hereof.

(2) That the authority herein granted shall expire January 13, 1960, unless sooner canceled, changed, or extended by order of the Commission.

(3) That during the period that the authority herein granted is in effect the aforesaid applicant shall not engage in the transportation of the same commodities between the points involved in this authority as a radial highway common carrier; and that any such transportation which applicant may perform in violation of these provisions shall be cause for revocation of the authority herein granted.

This order shall become effective January 13, 1959.

Dated at San Francisco, California, this 6<sup>th</sup> day of January, 1959.

  
\_\_\_\_\_  
President  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners

APPENDIX "A" TO DECISION NO. 57824  
IN APPLICATION NO. 29587-(THIRTEENTH SUPPLEMENTAL)

Naming

Rates, rules, regulations, conditions, and restrictions applicable to the transportation of property for Sears, Roebuck & Co.

(a) Applicable only to the transportation of property by shuttle delivery service, between Sears' warehouses and retail stores in San Francisco, Emeryville, and San Leandro; and

(b) Applicable only to deluxe delivery service between points within thirty-five (35) air miles of San Francisco.

SHUTTLE DELIVERY SERVICE

- (a) Tractor and one semi-trailer - \$870.00 per month, Monday through Friday of each week. A unit of equipment shall include one tractor with semi-trailer (rated in weight bracket 4,500 lbs. to 10,500 lbs.)
- (b) Extra semi-trailers will be charged for as follows, dependent upon the length of time used:
  - \$90.00 each per month
  - \$27.00 each per week
  - \$ 5.50 each per day
- (c) Overmileage of tractor in excess of 1,050 miles per month will be charged at the rate of 17 cents per mile.
- (d) Overtime hours in excess of regular working hours, as defined in Item No. 100 Series, City Carriers' Tariff No. 1-A, shall be charged at an hourly rate equal to the cost to the carrier of the overtime involved.
- (e) Extra tractors with a semi-trailer attached will be charged for at an hourly rate of \$6.45 per hour (rated in weight bracket over 4,500 pounds, but not over 10,500 pounds).

NOTE: In no case shall the rates and charges stated herein be less than those as prescribed by the California Public Utilities Commission, in City Carriers' Tariff No. 1-A.

DELUXE DELIVERY SERVICE

- The rate for the delivery of shipments in deluxe delivery service will be \$2.10 per 100 pounds to all points within the delivery zone. To points outside of the delivery zone, namely:

Atherton	Menlo Park	Palo Alto
Woodside	Portola	Alviso
Los Altos	Mayfield	Mountain View
Sunnyvale	Agnew	Moffett Field

the rate will be \$2.60 per 100 pounds, subject to the following minimum charges:

<u>Weight of Shipment</u>	<u>Column 1</u>	<u>Column 2</u>
25 pounds or less	\$ .78	\$1.60
Over 25 but not over 45 pounds	.89	1.60
Over 45 but not over 59 pounds	1.21	1.85
Over 50 but not over 100 pounds	2.10	2.15

Column 1 charges apply to distances not in excess of 35 miles from point of origin to destination.

Column 2 charges apply to distances in excess of 35 miles from point of origin to destination.

- A flat charge of \$2.10 is to be charged when pickup has been ordered but not completed for reasons other than the carrier's inability to make such pickup.
- \$8.80 per hour is to be charged for all time spent outside of the delivery zone. Out-of-zone time shall be computed on the basis of actual elapsed time, exclusive of delivery time between departure from and return to extreme delivery limits. Irregularity reports will be created by the delivery driver which must show times of departure from and return to extreme delivery limits plus elapsed time necessary to perform actual delivery.
- \$6.15 will be charged for truck with driver, or \$8.80 will be charged per hour for truck, driver, and helper, when extra trucks are used for making deliveries on other than scheduled runs. Such trucks will not exceed capacity in pounds of 15,500 pounds.
- The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments weighing less than 100 pounds shall be 20 cents for each \$100.00 or fraction thereof.

The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments weighing 100 pounds or over shall be in accordance with the provisions of Item No. 110 Series of City Carriers' Tariff No. 1-A and Item No. 180 Series of Minimum Rate Tariff No. 2.

DELUXE DELIVERY SERVICE

6. Rates include second or third attempt delivery.
7. Lawn swings - setting up charge will be \$3.83.
8. Deep freezers - \$3.22 per 100 pounds, sizes measuring 14 cu. ft. and over. Others of less cubic foot capacity, the deluxe delivery rate specified above.
9. Points of pickup: Sears, Roebuck & Company warehouses, San Francisco, Emeryville, and San Leandro.

-----

EXCEPTION:

The Deluxe rates and the Deluxe minimum charges shown above will not apply to Packed Freight Commodities, consisting of roofing, fencing, fence posts, wire or pipe (iron or steel), delivered outside the San Francisco Drayage Area, as defined in Item No. 40 Series and Item No. 45 Series of City Carriers' Tariff No. 1-A. Transportation of such commodities will be subject to the rates, rules, and regulations contained in Minimum Rate Tariff No. 2.

(End of Appendix "A")