

ORIGINALDecision No. 58429

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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. 144)

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 2 contains minimum rates and rules governing the transportation of general commodities between points in this state. Certain rates in the tariff apply from and to "San Francisco Territory" as described in Item No. 270-3 of the tariff. By this petition, Kaiser Aluminum & Chemical Corporation seeks an extension of San Francisco Territory to include industries located at Permanente.

Petitioner operates, at Permanente, an aluminum foil rolling mill from which, the petition alleges, substantial quantities of aluminum foil are shipped to various California destinations. Assertedly, the only other industry located at Permanente is the Permanente Cement Company.

San Francisco Territory includes extensive areas on both sides of San Francisco Bay from Richmond and San Francisco south to and including Campbell and San Jose. According to the petition, Permanente is located approximately two miles from, and exterior to,

that portion of the present boundary of San Francisco Territory which extends along the right-of-way of Southern Pacific Company (Vasona Branch) between Arastradero Road and Pollard Road.^{1/}

The petition alleges that, while Permanente is on the fringe of San Francisco Territory under the present minimum rate provisions, it is economically and geographically a part of the San Francisco industrial area. In 1958 the Permanente plant manufactured and shipped to California customers approximately 10,000,000 pounds of aluminum foil. This tonnage, it is further alleged, compares favorably with that of other industries now located in San Francisco Territory.

A total of 4,800,000 pounds of aluminum foil, the petition states, moved in 1958 from the Permanente plant to points in the Los Angeles area. It is expected that the tonnage to that area will be nearly doubled with the transfer, now under way, of petitioner's foil products warehousing operations from Los Angeles, San Francisco and San Jose to Permanente. A substantial portion of the Los Angeles area tonnage moves at class rates. This class-rate traffic suffers a rate disadvantage as compared with shipments moving from points within San Francisco Territory to the Los Angeles area. Thus, the petition shows that the class rates applicable on aluminum foil from Permanente to Los Angeles are from 10 to 12 cents per 100 pounds higher than the

^{1/} The segment of boundary thus described lies, roughly, between Palo Alto and Los Gatos, and passes through Los Altos and Monta Vista. The point on this segment closest to Permanente appears to be the Southern Pacific station Simla, at which a spur track serving the Permanente industries connects with the Vasona Branch.

corresponding rates from San Francisco Territory origin points to the same destination. At the same time, it is pointed out that the constructive mileage from Permanente to Los Angeles is 37.5 miles less than the corresponding distance from San Francisco. Petitioner believes that, in view of its location in the San Francisco industrial area, it is entitled to the same rate structure as applies from and to industries presently included in San Francisco Territory.

The petition shows that on or about March 16, 1959, a copy of the petition was served on interested carriers and shippers. No objection to its granting has been received. California Trucking Association, Inc., has informed the Commission in writing that it has no objection to the proposed inclusion in the tariff item of the Permanente industries.

In the circumstances it appears and the Commission finds that petitioner's proposal is justified. The petition will be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED that:

(1) Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606, as amended) is hereby further amended by incorporating therein, to become effective June 12, 1959, Sixth Revised Page 34, which revised page is attached hereto and by this reference made a part hereof.

(2) 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 date of the tariff changes herein involved.

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 19th day of May, 1959.

E. J. Fox
President

Theodore Jenner

Commissioners

Concur:
Matthew J. Dooley
Matthew J. Dooley, Commissioner
Date MAY 20 1959

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">TERRITORIAL DESCRIPTIONS (Continued) (Items Nos. 270 and 271)</p> <p>63. SAN FRANCISCO TERRITORY includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway 101 to its intersection with Southern Pacific Company right of way at Arastradero Road; southeasterly along the Southern Pacific Company right of way to Pollard Road including industries served by the Southern Pacific Company spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to E. Parr Avenue; easterly along E. Parr Avenue to the Southern Pacific Company right of way; southerly along the Southern Pacific Company right of way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to U.S. Highway 101; northwesterly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the City of Richmond; southwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning.</p>

*270-3-C
Cancels
270-3-B

3. SAN FRANCISCO BAY COUNTIES TERRITORY includes that area consisting of the City and County of San Francisco and the Counties of San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey, Alameda, Contra Costa, Marin, Sonoma, Solano and Napa.

4. Los Angeles Territory includes that area embraced by the following boundary: Beginning at the intersection of Sunset Boulevard and U. S. Highway No. 101, Alternate; thence northeasterly on Sunset Boulevard to State Highway No. 7; northerly along State Highway No. 7 to State Highway No. 118; northeasterly along State Highway No. 118 through and including the City of San Fernando; continuing northeasterly and south-easterly along State Highway No. 118 to and including the City of Pasadena; easterly along Foothill Boulevard from the intersection of Foothill Boulevard and Michillinda Avenue to Valencia Way; northerly on Valencia Way to Hillcrest Boulevard; easterly and northeasterly along Hillcrest Boulevard to Grand Avenue; easterly and southerly along Grand Avenue to Greystone Avenue; easterly on Greystone Avenue to Oak Park Lane; easterly on Oak Park Lane and the prolongation thereof to the west side of the Sawpit Wash; southerly along the Sawpit Wash to the north side of the Pacific Electric Railway right of way; easterly along the north side of the Pacific Electric Railway right of way to Buena Vista Street; south and southerly on Buena Vista Street to its intersection with Meridian Street; due south along an imaginary line to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Beverly Boulevard; southeasterly on Beverly Boulevard to Painter Avenue in the City of Whittier; southerly on Painter Avenue to Telegraph Road; westerly on Telegraph Road to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway; westerly on Imperial Highway to State Highway No. 19; southerly along State Highway No. 19 to its intersection with U. S. Highway No. 101, Alternate, at Ximeno Street; southerly along Ximeno Street and its prolongation to the Pacific Ocean; westerly and northerly along the shore line of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and U. S. Highway No. 101, Alternate; thence northerly along an imaginary line to point of beginning.

(Continued)

* Change }
o Reduction } Decision No. 58429

EFFECTIVE JUNE 12, 1959

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

Correction No. 910