

ORIGINAL

Decision No. 58491

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of John T. Chalke, an individual )  
for authority to depart from min- ) Application No. 41034  
imum rates, pursuant to Section )  
3666 and 4015 of the Public Utili- )  
ties Code. )

OPINION AND ORDER

Applicant holds highway contract carrier and city carrier permits. Prior orders in Application No. 34192 have authorized him, under Sections 3666 and 4015 of the Public Utilities Code, to deviate from the established minimum rates. The authority is limited to the transportation of merchandise and store supplies under contract for The Great Atlantic & Pacific Tea Company from that company's Los Angeles warehouse located at 4510 South Boyle Avenue to its retail stores in southern California. It permits deviation from the requirement that each article in a shipment be classified separately and in lieu thereof allows shipments to be classified on a fixed percentage basis. It also permits applicant to observe other designated special bases for related services. The authority is scheduled to expire June 25, 1959. Applicant now seeks extension of the authority for a further one-year period.

According to the application the conditions surrounding the transportation in question which justified deviation from the minimum rates still obtain. It alleges that checks made of shipments being transported show that the classification mixture is substantially the same as currently authorized.

The application shows that on or about April 14, 1959, a copy was served on interested parties. No objection has been received to its being granted.

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

Therefore, good cause appearing,

IT IS ORDERED:

(1) That John T. Chalke is hereby authorized to depart from the provisions of the minimum rate orders otherwise applicable to the services which he performs for The Great Atlantic & Pacific Tea Company to the extent specifically provided in Appendix "A" which is attached hereto and by this reference made a part hereof.

(2) That the authority herein granted shall expire June 25, 1960, unless sooner canceled, changed or extended by order of the Commission.

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

Dated at San Francisco, California, this 22nd day of May, 1959.

E. Lyn Fox  
President  
Walter D. Smith  
Walter D. Smith  
Herbert H. Hume  
Gene W. Hume  
Commissioners

APPENDIX "A" TO DECISION NO. 59194  
IN APPLICATION NO. 41034

The authority herein granted applies only in connection with property transported by John T. Chalke (hereinafter called "the carrier") for The Great Atlantic & Pacific Tea Company (hereinafter called "the shipper") between points in southern California area south or southerly of, and including, the cities of Santa Barbara and Taft.

Section I

The authority granted in this section applies only to shipments of property which originate at shipper's warehouse located at 4510 South Boyle Avenue, Los Angeles and which are delivered to shipper's retail stores in southern California area as above described.

Item 1. The carrier is authorized to classify, for rate purposes, shipments of property (see Note) which are subject to the provisions of this Section as follows:

(a) Shipments subject to a minimum weight of 20,000 pounds:

<u>Percent of total weight of shipment</u>	<u>Rate as</u>
.011	150% of 1st class
.144	110% of 1st class
9.437	1st class
13.288	2nd class
6.770	3rd class
69.108	4th class
1.242	90% of 4th class

(b) Shipments subject to a minimum weight of less than 20,000 pounds:

Rate as third class.

Note: The term "property" as used in this item means those articles of merchandise and store supplies listed in Exhibit No. 1 in Application No. 34192 and merchandise and store supplies of similar nature or purpose.

Item 2. The carrier is authorized to assess and collect charges for the transportation of property classified in accordance with the provisions of Item 1 above on the basis of composite rates, representing the percentage distributions shown therein.

- Item 3. In connection with the computation and collection of charges for a shipment transported in split-delivery service, the carrier is authorized to apply the additional charges provided in Item No. 170 series of Minimum Rate Tariff No. 2 and in Item No. 180 series of Minimum Rate Tariff No. 8 on the basis of the average weight, instead of the actual weights, of several component parts of the shipment.

Section II

- Item 1. The carrier is authorized to use, in lieu of other shipping documents, the forms of documents submitted as part of Exhibit No. 3 in Application No. 31378, provided that:

- (a) The documents shall contain all of the information necessary for an accurate determination of the applicable rates and charges; and
- (b) The documents covering each shipment, if separated, shall be cross-referenced and filed in a manner permitting ready assembly.

The term "groceries" may be used to identify collectively, in the shipping documents herein authorized, the various articles of merchandise and other property which are classified in accordance with the provisions of Item 1, Section I, above.

(End of Appendix)