

Decision No. 58531

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SIGNAL)
TRUCKING SERVICE, LTD., a corporation, for)
authority to depart from the rates, rules,)
and regulations of Minimum Rate Tariff) Application No. 41072
No. 5, Minimum Rate Tariff No. 2, and Mini-)
mum Rate Tariff No. 8, under the provisions)
of the City Carriers' Act and the Highway)
Carriers' Act.)

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. Prior orders in Application No. 31378 have authorized it, 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. The authority is scheduled to expire June 25, 1959. Applicant now asks that the authority be continued.

Applicant alleges that it has handled this traffic for many years; and that, based upon its experience over those years, and taking into consideration the rates proposed herein, the applicant is satisfied that it can continue to provide the service proposed herein at a satisfactory profit.

The application shows that on or about April 22, 1959, a copy was served on interested parties. No objection has been received to its being granted.

The special rate authority herein sought and granted is not applicable to common carrier services. 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. 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, applicant shall not engage in the transportation of the same commodities between the points involved in this authority as a radial highway common carrier.¹

In the circumstances, it appears, and the Commission finds, that the proposed bases of ratings and charges are reasonable and consistent with the public interest. The application will be granted. A public hearing is not necessary. Because the conditions under which the service is performed may change at any time, the authority will be made to expire at the end of one year unless sooner canceled, changed or extended by order of the Commission.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Signal Trucking Service, Ltd., is hereby authorized to depart from the provisions of the minimum rate orders otherwise applicable to the services which it 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.

(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

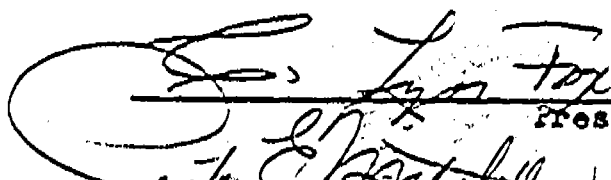
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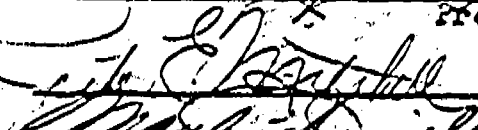
The question whether or to what extent the radial highway common carrier permit of Signal Trucking Service, Ltd., should be limited in other respects is in issue in Application No. 40953 now assigned for public hearing.

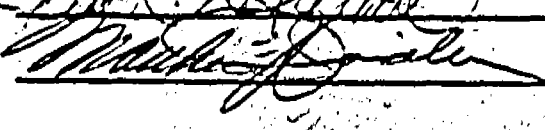
this authority as a radial highway common carrier; and that any such transportation which applicant may perform in violation of these provisions shall be cause for revocation of the authority herein granted.

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

Dated at San Francisco, California, this 2nd day of June, 1959.



President




Commissioners

The authority herein granted applies only in connection with property transported by Signal Trucking Service, Ltd., (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. 3-G in Application No. 31378 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.

- Item 2. The carrier is authorized to assess a charge of \$10.50 per day per semi-trailer for the use by shipper of semi-trailers without tractors.
- Item 3. The carrier is authorized to use, without assessing additional charges therefor, employees other than drivers, in lieu of drivers, for loading its vehicles.

End of Appendix "A"

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