Decision No. 59130

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CONSOLIDATED FREIGHTWAYS, INC., a)
corporation (formerly FARNSWORTH AND)
RUGGLES), for authority to depart from)
the rates, rules and regulations of)
Minimum Rate Tariff No. 2 under the)
provisions of the Highway Carriers')
Act.

Application No. 41469

OPINION AND ORDER

Applicant holds radial highway common carrier, highway contract carrier and city carrier permits. It is currently author12ed to apply monthly vehicle unit rates for the transportation of property for Pacific Gas and Electric Company within a 150-mile radius of San Francisco. The authority is scheduled to expire October 24, 1959. Applicant herein seeks authority to continue the rates for a further one-year period.

Applicant states that under its current authorization it is observing the highest level of monthly vehicle unit rates prescribed in Minimum Rate Tariff No. 2 and is departing therefrom only in that the service provided thereunder is performed within a 150-mile radius of the base point instead of within 125 miles thereof, as prescribed in the minimum rate tariff. Applicant alleges that the service requirements of Pacific Gas and Electric Company require a continuance of the existing authorized deviation from the service area requirements in that tariff for at least an additional year.

The minimum rate tariffs limit the application of the vehicle unit rates to a 125-mile radius. Applicant's rate deviation is authorized by Decision No. 57409, dated September 29, 1958, as amended by Decision No. 57780, dated December 30, 1958, in Application No. 36823, issued pursuant to Section 3666 of the Public Utilities Code.

A copy of the application was served on California Trucking Associations, Inc., and the Draymen's Association of San Francisco on or before September 8, 1959. No objection to its being granted has been received.

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

Therefore, good cause appearing, IT IS ORDERED:

- (1) That Consolidated Freightways, Inc., is hereby authorized to depart from the provisions of the minimum rate orders otherwise applicable to the services which it performs for Pacific Gas and Electric 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 October 24, 1960, unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective October 24, 1959.

Dated at San Francisco, California, this day of October, 1959.

President

Commissioners

APPENDIX "A" TO DECISION NO. MONTHLY VEHICLE UNIT RATES FOR APPLICATION TO TRAFFIC OF PACIFIC GAS AND ELECTRIC COMPANY Capacity of Carrier's Equipment In Pounds Column 1 Column 2 Over 15,500 but not over 20,500 980 21 Column 1 - Rate per month in dollars per unit of carrier's equipment for service exclusive of service on Saturdays, Sundays and holidays. The rates apply for a maximum of 1,050 miles. For each additional mile of operation per month add rate shown in Column 2. Column 2 - Rate in cents per mile to be added to the Column 1 rate for each additional mile the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder. Subject to the Following Conditions (a) Ratesapply between points and places located within a radius of 150 miles of San Francisco. (b) Rates apply only when, prior to the use of the equipment involved, the shipper enters into a written agreement with the carrier subject to the conditions herein specified. (c) Rates apply for a calendar month or for a period of 30 successive days from the date specified in the written agreement. (d) Holidays mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Admission Day, Thanksgiving Day and Christmas Day. (e) Rates include the service of a driver only. When, at the request of the shipper, the carrier furnishes help in addition to the driver, an additional charge shall be made at the rate of \$3.50 per man per hour, or any fraction thereof, minimum charge one hour for each helper used. The time for computing charges shall not be less than the actual time the helpers are engaged in performing the service. (f) For services performed at other than during the hours 8:15 a.m. to 5:15 p.m., a charge equivalent to the additional wages plus 10 percent shall be assessed. (g) The rates do not include bridge or ferry tolls. -1-

- (k) The written agreement shall include the following information:
 - (1) Date of agreement, date transportation service is to commence, the monthly period, and duration of the agreement.
 - (2) Identification of the equipment by license number or otherwise.
 - (3) Capacity of equipment as shown herein.
 - (4) Base rate and maximum mileage per month, and maximum hours per day.
 - (5) Rates per mile for excess mile and per hour for excess hours.
 - (6) Basing point of operations.
 - (7) A clause that the agreement is canceled if the charges are not remitted by the shipper and collected by the carrier as required by Condition (h).
 - (8) The agreement shall be in substantially the following form:

	Date				
In accordance with th Application No. 41469	ne provisions of Decision No , I hereby elect to have	, <u>59139</u> , in			
·	(Identify Transaction)				
transported by		_ under the rates and			
provisions of said de Basing Point	(Name of Carrier) ecision, subject to the fol-	lowing terms:			
· · · · · · · · · · · · · · · · · · ·	(Street Address)	(City)			
Counties of Service					
Poriod of Agreement Capacity of Equipme		pounds.			
Identification of		pounds.			
Type of Service to					
Maximum Mileage	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~				
Base Monthly Rate					
Rate per Mile for : Rate per Hour for :					
nave per nour ror	bycessive nom s				
Shipper	By				
(Name in	Full) (Na	me in Full)			
Confirmed:	_				
Carrier	By				

NOTE: This agreement is canceled if the charges are not remitted by the shipper and collected by the carrier as provided for in said decision.

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- (1) Within 7 calendar days after the end of the monthly period as set forth in the written agreement, the carrier shall present a bill to the shipper which shall set forth:
 - The monthly transaction period. Identification of equipment.

(3) Base monthly rate.

Maximum mileage as provided in written agreement.

(4) (5) Mileage in excess of maximum, and rate and

- charges therefor.

 Number of hours in excess of 8 hours per day, and rate and charges therefor.

 Number of hours for helper, and rate and charges (6)
- (7) therefor.
- (8) The freight bill shall be in substantially the following form:

FREIGHT BILL FOR TRANSPORTATION OF PROPERTY AT MONTHLY VEHICLE UNIT RATES

Name of Carrier $_$			Bill	No	
	(Name of Carries as shown		ame Permit	No	
NAME OF SHIPPER _	·			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
STREET ADDRESS _			· · · · · · · · · · · · · · · · · · ·		
CITY	····			<u> </u>	
Period equipment	unit is engaged	Date	Date	Base	
and identification	on of equipment:	Started	Completed	Rate	Charges
Miles Operated _		Maximum Mi	les	}	
Number of Excessive Miles	s	Rate per M	ile		
Number of Excessive Hours	s	Rate per H	lour		
Number of Hours for Helpe	ers	. Rate per H	our		
···		Other Char	ges		
		Total to C	ollect		<u> </u>
Certification (of Data:				
Shipper		Carrie	r		
Ву		By			
Excessive Hour: Number of Hours for Helpe Certification of	ersof Data:	Rate per H Other Char Total to C	our		

- (j) Within 20 days after the completion of the monthly transaction period the shipper shall remit and the carrier shall collect the charges, or, in the event shipper does not agree with the charges so determined, he shall within the aforementioned 20-day period notify the carrier of the exceptions taken to the charges.
- (k) The original or a copy of the written agreement and the freight bill shall be retained and preserved by the carrier, subject to Commission inspection, for a period of not less than three years from the date of their issuance.

(End of Appendix "A")