

Decision No. 59278

ORIGINAL

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 Modifica-
)	tion No. 161 As
)	Amended)
)	
)	
)	

SUPPLEMENTAL OPINION AND ORDER

A & B Garment Delivery of San Francisco, a California corporation, possesses a highway common carrier certificate for the transportation of garments, clothing and wearing apparel between points generally within the area bounded by Ignacio, Napa and Sacramento, on the north, Stockton, on the east, and Modesto, Salinas and Carmel, on the south.

Petitioner, in prior proceedings, has been authorized to assess rates less than the prescribed minimum rates for the transportation of garments, clothing and wearing apparel on hangers in bags.¹ The authorized rates are stated in amounts per bag plus amounts per pound, subject to a per-garment charge, as minimum. Petitioner seeks additional authority to apply the aforesaid rates, except the per-garment charges, to curtains, draperies and other similar goods.

¹ Decision No. 56997, dated July 15, 1958, in Application No. 40031; Decision No. 58729, dated July 7, 1959, in Case No. 5432 (Petition for Modification No. 147) and Application No. 40960.

According to the petition, manufacturers of curtains, draperies and other similar goods have requested petitioner to render a service which will permit their merchandise to be transported on hangers. Petitioner states that it has made an investigation and determined that these commodities have the same transportation characteristics as garments, clothing and wearing apparel. It is alleged that curtains and draperies, when placed on hangers in cloth bags, can be handled in a manner identical to that of garments and clothing; that they are subject to a classification rating of first-class as are the other commodities being transported under the aforesaid rates; that shippers of the considered goods generally desire a service such as is being rendered by petitioner; and that the average value of such goods is lower than that of garments and wearing apparel.

Petitioner's attorney has informed the Commission in writing that, on or about September 3, 1959, a copy of the petition was mailed to the California Trucking Associations, Inc. No objection to the granting of this petition has been received.

Petitioner also requests authority to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 460 of the Public Utilities Code, to the extent necessary to establish the sought rates.

After consideration, the Commission is of the opinion and finds that the proposed rates are reasonable and justified by transportation conditions. The petition will be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED:

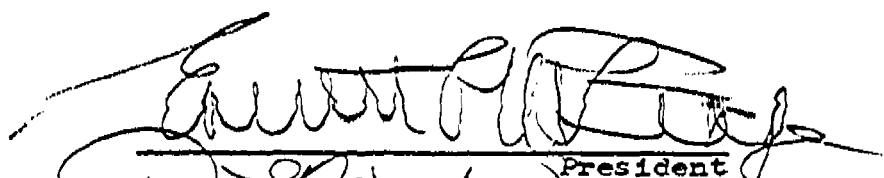
(1) That A & B Garment Delivery of San Francisco is hereby authorized, on not less than five days' notice to the Commission and to the public, to publish rates less than the minimum rates, but not less than the rates sought in this petition, for the transportation of dry goods on hangers in bags.

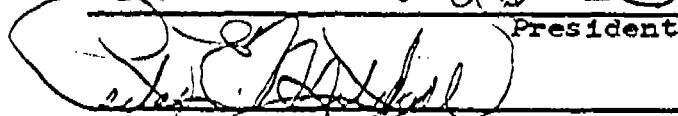
(2) That petitioner is hereby authorized to depart from the long-and-short-haul provisions of Section 460 of the Public Utilities Code, and Article XII, Section 21, of the Constitution of the State of California, to the extent necessary to exercise the authority granted herein.

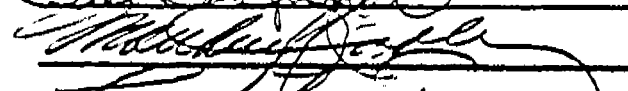
(3) That the authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

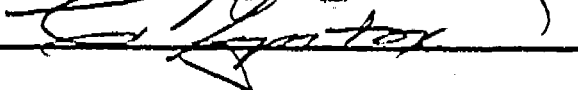
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 17th day of November, 1959.



President






Commissioners