

Decision No. 59990**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
 into the rates, rules, regulations, )  
 charges, allowances and practices )  
 of all household goods carriers, )  
 common carriers, highway carriers, )  
 and city carriers, relating to the )  
 transportation of used household )  
 goods and related property. )

Case No. 5330  
 (Petition for Modification  
 No. 11)

Wyman B. Knapp and Charles Woelfel, for California Moving & Storage Association, Inc., petitioner.  
Robert Maisano, for Checker Transfer; John D. Gill, for Palo Alto Transfer and Storage Company;  
Robert S. Reis, for City Transfer & Storage Co.;  
Roger H. Druehl, for Market Street Van & Storage Inc.; Jackson W. Kendall, for Bekins Van & Storage Co., and Bekins Van Lines, Inc.; W. Ray James, for James Transfer & Storage Co., James Van Lines, San Jose Moving & Storage Co., James and Neal Moving & Storage Inc.; and  
J. F. Andrews, for Checker Van & Storage Co., respondents.  
J. C. Kaspar, A. D. Poe and J. X. Quintrall, for California Trucking Associations, Inc., interested party.  
M. J. Gagnon and Grant L. Malquist, for the Commission staff.

O P I N I O N

By petition filed January 5, 1960, California Moving and Storage Association, Inc., seeks increases in the hourly rates for local moving and packing in the area embraced by the City and County of San Francisco, San Mateo County and Santa Clara County. It also seeks the establishment of a re-weighing charge and a modification of the rules governing the application of rates and charges for shipping containers and packing materials.

Public hearing was held March 2, 1960, before Examiner J. E. Thompson at San Francisco. Testimony was given by the

vice president of petitioner and by the director of research of the California Trucking Associations, Inc., who was engaged by petitioner to present an analysis of the cost of performing local moving and packing.

The last adjustment of the hourly rates for local moving in Minimum Rate Tariff No. 4-A was effective November 5, 1959 as a result of the Commission's Decision No. 59160 dated October 13, 1959 in Case No. 5330, Petition No. 9. Hearings in that proceeding concluded August 11, 1959. The local moving rates established by that decision reflected the drivers' and helpers' wages in effect at the time of the hearing. During the first week of November 1959, following protracted negotiations, new contracts were entered into with union locals representing drivers and helpers in The City and County of San Francisco, and the Counties of San Mateo and Santa Clara. The wage increases resulting from those contracts were retroactive to July 1, 1959. The increases included 30 cents per hour for drivers, packers and helpers, an additional paid holiday and an increase of five days' vacation to employees with 10 or more years of service. Such increases in wages and fringe benefits result in an increase in the payroll of the carriers of more than 35 cents per hour per man. The increases proposed by petitioner aggregate 50 cents per man per hour. There are a number of other expenses which increase with increases in payroll and in gross revenue, and the compensation paid to certain supervisory personnel is related to the level of wages paid to drivers. Upon consideration of all of the facts and circumstances, we are of the opinion and find that an increase of 50 cents per man per hour, as proposed by petitioner is justified and that the proposed hourly rates for local moving and for packing are the reasonable minimum rates for such services conducted in and between the Counties of San Francisco, San Mateo and Santa Clara.

Petitioner proposed several changes in Item 450 of Minimum Rate Tariff No. 4-A which are intended to remove loopholes by which carriers have been able to furnish shipping containers and packing materials without charge. The proposed change in the rule regarding the application of rates for delivery of containers prior to the move and pickup of containers subsequent to the move is necessary for the enforcement of said rates. The proposed change in the rule which would require carriers to charge for containers and packing materials not less than the wholesale cost new of such materials is ambiguous and nebulous and will not be adopted.

Under the provisions of Item 210 carriers are required to obtain a weighmaster's certificate and to assess charges for long distance moving based upon that weight. According to the vice president of petitioner, when the charges are presented to the shipper prior to unloading, oftentimes the shipper avows that the weight is incorrect and demands that the load be reweighed. The carriers almost universally accede to such demand and, in most instances, the reweighing affirms the weight shown on the freight bill. The carrier incurs additional expense in reweighing the shipment. The vice president testified that a \$10 charge, as proposed herein, is very nominal and, in most instances, will not cover the costs incurred by reweighing. A charge for reweighing under the circumstances described by the witness would appear to be reasonable; however, such a charge would not be reasonable if the reweighing revealed that the original weight

was substantially in error. The witness stated that there are infrequent occasions when that is the case. Clearly a \$10 charge under those circumstances would not be reasonable. There is nothing in this record which enables us to determine a reasonable tolerance or difference between the weight shown on the original weighing and that on the reweighing. Under the circumstances the petitioner's proposal for the establishment of a re-weighing charge will be denied.

ORDER

Based on the evidence of record and on the findings and conclusions set forth in the preceding opinion,

IT IS ORDERED:

1. That Minimum Rate Tariff No. 4-A (Appendix "A" of Decision No. 44919, as amended) is further amended by incorporating therein to become effective June 1, 1960, the revised pages attached hereto and by this reference made a part hereof, which revised pages are numbered as follows: Third Revised Page 21, Eighth Revised Page 25 and Seventh Revised Page 29.

2. That in all other respects said Decision No. 44919, as amended, shall remain in full force and effect.

3. That except as otherwise provided in ordering paragraph 1 hereof, Petition for Modification No. 11, filed by the California Moving and Storage Association, Inc., is denied.

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

Dated at San Francisco, California, this 19th day of April, 1960.

[Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners

SECTION NO. 2 - TERRITORIAL DESCRIPTIONS	Item No.
<p style="text-align: center;">APPLICATION OF TERRITORIAL DESCRIPTIONS</p> <p>1. Descriptions of territories and metropolitan areas in Section No. 2 apply in connection with rates, rules and regulations making reference thereto.</p> <p>2. Such descriptions shall include both sides of avenues, boulevards, highways, roads, or streets named as boundary lines, except that in unincorporated territory, all points not more than 500 feet beyond such named avenue, boulevard, highway, road, or street shall be included within the described territory or metropolitan area.</p> <p>3. Where the written description of an area, zone or territory conflicts with the map description of that same area, zone or territory, the written description will govern.</p>	<p style="text-align: right;">340-A Cancels 340</p>
<p style="text-align: center;">TERRITORIES</p> <p>*TERRITORY "AA" consists of the City and County of San Francisco and the Counties of San Mateo and Santa Clara.</p> <p>*TERRITORY "A" consists of the Counties of Alameda, Contra Costa and Marin.</p> <p>*TERRITORY "B" consists of all territory not included in Territories "A" and "AA".</p>	<p style="text-align: right;">343-A Cancels 343</p>
<p>METROPOLITAN SAN FRANCISCO-OAKLAND AREA consists of that area embraced by the following boundary:</p> <p>Beginning at the point where the southerly boundary of the City and County of San Francisco meets the Pacific Ocean; easterly along said boundary to Lake Merced Boulevard; southerly along Lake Merced Boulevard to South Mayfair Avenue; westerly and southerly along South Mayfair Avenue to 87th Street; easterly along 87th Street to Junipero Serra Boulevard; southerly along Junipero Serra Boulevard and its prolongation to an intersection with the common boundary of the City of San Bruno and the City of Millbrae; easterly along said common boundary to the right of way of the Southern Pacific Company; northerly along said right of way to Angus Avenue East; easterly along Angus Avenue East to Seventh Avenue; northerly along Seventh Avenue to the intersection with the common boundary of the City of San Bruno and the City of South San Francisco; easterly in a direct line along said common boundary and its prolongation to the west shore line of San Francisco Bay; northeasterly along a direct line to the intersection of the common boundary of the City of Alameda and City of Oakland and the east shore line of San Francisco Bay south of Bay Farm Island; southerly along said shore line to the western prolongation of Davis Street; easterly along the prolongation of Davis Street and Davis Street to the Eastshore Freeway; southerly along the Eastshore Freeway to First Avenue; easterly along First Avenue to Washington Avenue; northerly along Washington Avenue to Estabrook Street; easterly along Estabrook Street to East 14th Street; northerly along East 14th Street to Sybil Avenue; easterly along Sybil Avenue to Foothill Boulevard (Highway U.S. 50); northerly along Foothill Boulevard to San Leandro Creek; easterly along the north bank of San Leandro Creek and the north shore line of Lake Chabot to its intersection with the easterly city limits of the City of Oakland; northerly along the city limits of the City of Oakland to Grass Valley Road; easterly along Grass Valley Road to Skyline Boulevard; northerly along Skyline Boulevard to the Alameda-Contra Costa County Line; northerly along the Alameda-Contra Costa County Line to Colusa Avenue; northerly along Colusa Avenue to Sea View Drive; easterly and northerly along Sea</p>	<p style="text-align: right;">347-A Cancels 347</p>

View Drive to Terraco Drive; easterly and northerly along Terraco Drive to Arlington Avenue; northerly along Arlington Avenue and Arlington Boulevard to Alta Vista Drive; westerly along Alta Vista Drive and Hazel Avenue to Yuba Street; northerly along Yuba Street to Glenn Avenue; westerly along Glenn Avenue to San Pablo Avenue (Highway U.S. 40); northerly along San Pablo Avenue (Highway U.S. 40) to Maracopa Avenue; westerly along Maracopa Avenue and Costa Avenue to 13th Street; northerly along 13th Street to Emeric Avenue; westerly along the prolongation of Emeric Avenue to the east bank of Castro Creek; northerly and westerly along the east bank of Castro Creek to the east shore line of San Pablo Bay; southerly along the east shore line of San Pablo Bay and the east shore line of San Francisco Bay to the San Francisco-Oakland Bay Bridge; westerly along the San Francisco-Oakland Bay Bridge, including Yerba Buena Island and Treasure Island, to the west shore line of San Francisco Bay; northerly and westerly along the west shore line of San Francisco Bay to the shore line of the Pacific Ocean; westerly and southerly along the shore line of the Pacific Ocean to point of beginning.

The foregoing description includes the following points:

Alameda (1)	Daly City (1) (2)	Oakland (1) (2)	Point San Pablo
Alameda Pier	East Oakland	Oakland Pier	Richmond (1) (2)
Albany (1)	El Cerrito (1) (2)	Ocean View	San Bruno (1) (2)
Badon	Elkton	Piedmont (1)	San Francisco (1)
Bay Farm Island	Elmhurst	Point Castro	San Leandro (1) (2)
Bayshore	Emoryville (1)	Point Fleming	South San
Berkeley (1)	Ferry Point	Point Isabel	Francisco (1) (2)
Bernal	Fruitvale	Point Molate	Stoge
Brisbane	Government Island	Point Orient	Tanforan
Camp Knight	Lawndale	Point Potrero	Treasure Island
Colma (1)	Molrosc	Point Richmond	Union Park
			Visitacion
			Winohaven
			Yerba Buena Island

(1) Incorporated City.

(2) Portions within Metropolitan Area, other portions without.

\* Change )  
# Addition ) Decision No. 59999

EFFECTIVE JUNE 1, 1960

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

Correction No. 99

SECTION NO. 3 - RATES			Item No.
RATES IN CENTS PER HOUR (1) (2) (APPLIES FOR DISTANCES OF 30 CONSTRUCTIVE MILES OR LESS OR WITHIN METROPOLITAN AREAS)			
	<u>TERRITORY (3)</u>		
Unit of Equipment:	<u>#0AA</u>	<u>A</u>	<u>B</u>
(a) with driver.....	800	750	725
(b) with driver and 1 helper.....	1250	1150	1100
Additional helpers, per man.....	500	450	400
Minimum charge - the charge for one hour.			
(1) See Item No. 130 for application of rates.			
(2) See Item No. 170 for computation of time.			
(3) See Item No. 343 for territorial descriptions.			
* Change ) # Addition) Decision No. <b>59999</b> ◊ Increase)			
EFFECTIVE JUNE 1, 1960			
Issued by the Public Utilities Commission of the State of California, San Francisco, California			
Correction No. 100			

SECTION NO. 3 - RATES (Concluded)			Item No.
ACCESSORIAL RATES			
Rates in Cents per Man per Hour (1) (2) (3)			
	TERRITORY (4)		
	#AAA	A	B
Packing } Unpacking }	590	540	500
Minimum Charge - The charge for one hour.			*440-G Cancels 440-F
(1) See Item No. 130 for application of rates. (2) See Item No. 170 for computation of time. (3) Rates do not include cost of materials. (See Item No. 450.) (4) See Item No. 343 for description of territories.			
RATES AND CHARGES FOR SHIPPING CONTAINERS AND PACKING MATERIALS			
*1. In the event new or used shipping containers, including wardrobes, are delivered by the carrier, its agents, or employees, prior to the time shipment is tendered for transportation, or such containers are picked up by the carrier, its agents or employees subsequent to the time delivery is accomplished, the following transportation charges shall be assessed: (See Note 1) Each container, set up ----- 60 cents Each bundle of containers, folded flat----- 80 cents Minimum charge, per delivery ----- 360 cents			
2. (a) Shipping containers, including wardrobes (See Note 2) and packing materials which are furnished by the carrier at the request of the shipper will be charged for at not less than the actual original cost to the carrier of such materials, F.O.B. carrier's place of business. (b) In the event such packing materials and shipping containers are returned to any carrier, participating in the transportation thereof when loaded, an allowance may be made to the consignee or his agent of not to exceed 75 percent of the charges assessed under the provisions of paragraph (a). Note 1.If the hourly rates named in Item No. 400 provide a lower charge than the charge in paragraph 1 of this item such lower charge shall apply. Note 2.No charge will be assessed for wardrobes on shipments transported at the rates provided in Item No. 400.			*450-D Cancels 450-C
*Change #Addition ^Increase	Decision No. 59990		
EFFECTIVE JUNE 1, 1960			
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