

Decision No. 63931

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SAN FRANCISCO WAREHOUSE CO., a )  
 corporation, for authorization to )  
 transport tobacco products for )  
 AMERICAN TOBACCO COMPANY, BROWN & ) Application No. 42625  
 WILLIAMSON TOBACCO CORPORATION )  
 and LIGGETT AND MYERS TOBACCO )  
 COMPANY within San Francisco at )  
 rate below minimum rate prescribed )  
 by City Carriers' Tariff No. 1-A. )

In the Matter of the Application of )  
 WALKUP DRAYAGE AND WAREHOUSE COMPANY, )  
 a corporation, for authority to ) Application No. 42631  
 charge less than certain minimum )  
 rates prescribed in City Carriers' )  
 Tariff No. 1-A. )

OPINION AND ORDER

Applicants hold radial highway common carrier, highway contract carrier and city carrier permits. Decision No. 59187, dated October 20, 1959, in Applications Nos. 41476 and 41477, authorized them to assess rates less than the established minimum rates for the transportation of cigarettes and manufactured tobacco for designated shippers. The authorities are limited to transportation from applicants' respective warehouses in San Francisco to points and places in Zone 1 as described in City Carriers' Tariff No. 1-A. The authorities are scheduled to expire November 1, 1960.

By these applications, filed August 31, 1960, authority is sought to continue the above deviations, but to modify certain of the minimum weight brackets and adjust the current authorized rates from 12 to 16 percent.<sup>1</sup>

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The sought rates are higher than the currently authorized rates but below the established minimum rates. No authority for the increase is required, inasmuch as applicants, insofar as these proceedings are concerned, perform the transportation as highway permit carriers for which only minimum rates have been established. Authority to assess the sought rates beyond November 1, 1960, is required, however, inasmuch as the rates are below the minimum rates otherwise applicable.

Applicants allege that, except for substantial increases in wage rates, there has been no change in the circumstances requiring special rates for the transportation of the commodities herein involved and that the conditions under which applicants perform this transportation are favorable and enable them to realize unusual economies in their operations. They aver that the currently authorized rates have been compensatory and insofar as can be foreseen the rates herein proposed will yield revenues sufficient to enable them to perform the transportation service at a reasonable profit for the ensuing year.

The applications show that, on or about August 31, 1960, copies thereof were served on interested parties, including the Draymen's Association of San Francisco and the California Trucking Associations, Inc. No objection has been received to their being granted. The Transportation Division staff has reviewed the verified applications and has recommended that they be granted.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable and consistent with the public interest for the transportation services of the commodities involved in these applications. A public hearing is not necessary. The applications will be granted. However, as the conditions surrounding the transportation may change, the extensions will be limited to one year unless sooner canceled, changed or extended by order of the Commission. In view of the expiration dates of the current authorities, the order which follows will be made effective November 1, 1960.

Therefore, good cause appearing,

IT IS ORDERED:


(1) That San Francisco Warehouse Co., a corporation, and Walkup Drayage and Warehouse Company, a corporation, and each of them, are hereby authorized to assess less than the applicable minimum rates set forth in City Carriers' Tariff No. 1-A, but not less than those set forth in Appendix "A" attached hereto and by this reference made a part hereof for the transportation described therein.

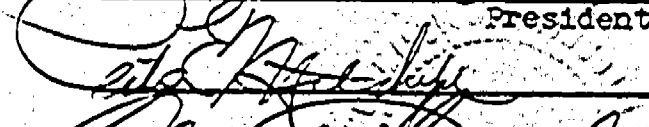
A. 42625 and A. 42631 - at

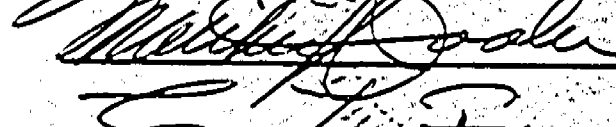
(2) That the authorities herein granted shall expire November 1, 1961, unless sooner canceled, changed or extended by order of the Commission.

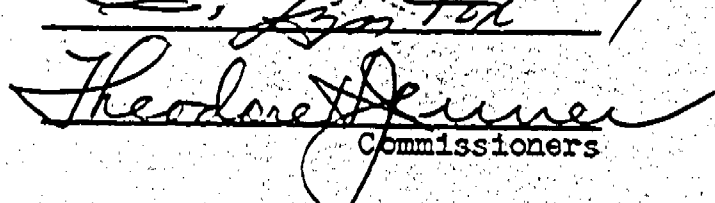
The effective date of this order shall be November 1, 1960.

Dated at San Francisco, California, this 12th day of October, 1960.

  
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President

  
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Member

  
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Member

  
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Commissioners

A. 42625, and A. 42631 - at

APPENDIX "A" TO DECISION NO. 60931

Authorized rates for the transportation of cigarettes and manufactured tobacco products as described in Items 26880 to 26940, inclusive, of Western Classification No. 77 by:

SAN FRANCISCO WAREHOUSE COMPANY from its warehouse at 180 Napoleon Street, San Francisco, for American Tobacco Company, Brown and Williamson Tobacco Corporation and Liggett and Myers Tobacco Company; and,

WALKUP DRAYAGE AND WAREHOUSE COMPANY from its warehouse at 20th and Illinois Streets, San Francisco, for Phillip Morris, Inc., and P. Lorillard Co.;

TO: Points and places in Zone 1 as described in City Carriers' Tariff No. 1-A.

Rates are subject to a minimum weight of 75,000 pounds per month tendered to the carrier by the shipper.

<u>Minimum Weight in Pounds</u>		<u>Minimum Charge in Cents</u>	<u>Rates in Cents Per 100 Pounds</u>
<u>Over</u>	<u>But Not Over</u>		
0	25	105	
25	50	135	
50	75	160	
75	100	190	
100	583	245	
583	3,714		42
3,714	4,000	1,560	
4,000			39

End of Appendix "A"