

Decision No. 61197

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of A & B)
GARMENT DELIVERY OF SAN FRANCISCO, a)
corporation, for a certificate of public)
convenience and necessity to operate as a)
highway common carrier.)

Application No. 42798

In the Matter of the Investigation into)
the rates, rules, regulations, charges,)
allowances and practices of all common)
carriers, highway carriers and city car-)
riers 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 Modification
No. 202

OPINION AND ORDER

A & B Garment Delivery of San Francisco, a corporation, operates as a highway common carrier transporting certain wearing apparel and merchandise between points in an area generally encompassed by Ignacio, Napa, Sacramento, Stockton, Modesto and San Jose; and, also store and office furniture and equipment, when in mixed shipments with the aforesaid commodities, between points within a described San Francisco Territory.¹ Among other things, applicant has been authorized to publish a vehicle unit rate of \$7.22 per hour for transportation of commodities covered by its certificate, limited to shipments of 4,500 pounds or less and subject to other specified conditions. The published rate is scheduled to expire December 25, 1960.

By this petition and application, filed October 28, 1960, authority is sought to:

¹ It also holds permits to operate as a radial highway common carrier, highway contract carrier and city carrier which are not involved in this proceeding.

1. Continue to apply a vehicle unit rate, with the rules and regulations applicable thereto, for a further period of one year to December 25, 1961, but at the hourly rate of \$7.40 rather than \$7.22 as now authorized.

2. Extend the application of the vehicle unit rate to:
(a) all points in the San Francisco Territory and within five miles of the boundary thereof; (b) all points on U. S. Highway 101 between San Francisco and junction with State Highway 37, one mile north of Ignacio, inclusive, including all off-route points within three miles of the said route, and the off-route points of Belvedere, Tiburon, Mill Valley, San Anselmo, Fairfax and Novato; and (c) between all points on State Highway 24 between Oakland and Walnut Creek, inclusive.

3. Operate as a highway common carrier for the transportation of store and office furniture, supplies, equipment and advertising materials between all points described in Paragraph 2 above, subject to the following limitations and conditions:

- a. Commodities shall be included in shipments of garments, clothing, wearing apparel and merchandise incidental thereto;
- b. Transportation shall be between retail stores or their warehouses;
- c. Transportation shall be performed in motor vehicle equipment in the exclusive use of one shipper.

4. File and publish said rate, rules and regulations upon five days' notice to the Commission and to the public.

As justification for the extension and continuation of its current authority to assess an hourly vehicle unit rate, petitioner alleges that, except for increased labor costs, conditions upon which the initial request was predicated continue to exist, and that under the rate herein proposed, it will receive a satisfactory return from

A. 42798, et al. - ac

the operation during the coming year. A cost study attached to the petition indicates that the proposed operation will be profitable.²

In support of the request for an extension of its certificate, applicant states that recently a request was received for the extension of the hourly service to the new territory sought. Applicant avers that such operation will be identical in all material respects to that which is being rendered by it in the area in which the existing rental authority is applicable. Applicant alleges that several large chain stores interested in obtaining this service are either located in or are planning to open branches in said area.

Copies of the petition and application were served upon California Trucking Associations, Inc., and to San Francisco Draymen's Association. No objection to the granting of the petition and application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed hourly vehicle unit rate of \$7.40 is reasonable and justified by transportation conditions, and that public convenience and necessity require the extension of applicant's operative right as sought herein. A public hearing is not necessary. The sought authority will be granted. Due to the expiration date of the current rate authority, the following order will be made effective December 25, 1960.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That the certificate of public convenience and necessity granted A & B Garment Delivery of San Francisco by Decision No. 56997, dated July 15, 1958, as amended, in Application No. 40031, is hereby amended by substituting Second Revised Page 1, which is attached hereto and by this reference made a part hereof, for First Revised Page 1 of Appendix A to Decision No. 56997, as amended.

² The proposed rate of \$7.40 per hour is the same as the vehicle unit rate established by the Commission as minimum in its Decision No. 60297, dated June 20, 1960, in Case No. 5441, Petition for Modification No. 42, for similar equipment within the City of San Francisco.

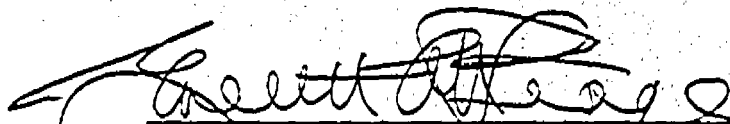
(2) That A & B Garment Delivery of San Francisco is hereby authorized, on not less than five days' notice to the Commission and to the public, to establish and publish a vehicle unit rate of \$7.40 per hour for the transportation set forth in Appendix "B" which is attached hereto, and by this reference made a part hereof, said rate to be published to expire December 25, 1961.

(3) That in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:


- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations and to comply with and observe the safety rules and other regulations of the Commission's General Order No. 99 and insurance requirements of the Commission's General Order No. 100-A. Failure to file such reports, in such form and at such time as the Commission may direct, or to comply with and observe the provisions of General Orders Nos. 99 and 100-A, may result in a cancellation of the operating authority granted by this decision.
- (b) Within one hundred twenty days after the effective date hereof, and on not less than five days' notice to the Commission and the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

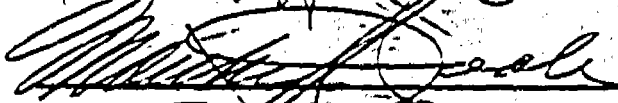
The effective date of this order shall be December 25, 1960.

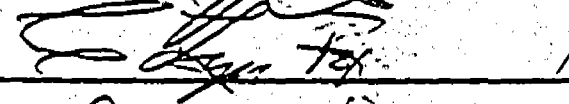
Dated at San Francisco, California, this 13th day of December, 1960.

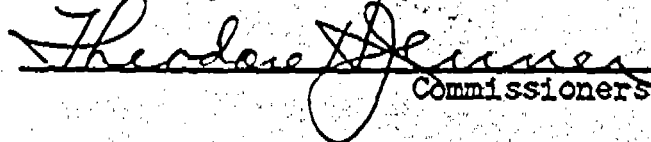


President









Commissioners

A & B Garment Delivery of San Francisco, by the certificate of public convenience and necessity granted in Decision No. 56997, in Application No. 40031; Decision No. 58729 in Application No. 40960; Decision No. 60203 in Application No. 42798, and in the decision noted in the margin, is authorized to transport the following:

	<u>COMMODITIES</u>	
Advertising Materials (1)(2)	Draperies	Patterns
Apparel, wearing	Dry Goods	Shirts
Bags, cloth	Equipment, store or office (1)(2)	Shoes
Bags, hand	Fittings, tailored	Supplies, office (1)(2)
Bath Robes	Footwear	Suspenders
Belts	Furnishings, men's	Tapes, cloth
Blouses	Furniture, store or office (1)(2)	Textiles
Buttons	Garments	Thread
Cloth	Gloves	Ties
Cloth, piece goods	Hangers, clothes	Towels
Clothing	Hose	Trimmings, tailored
Clothing Accessories	Jewelry, costume	Umbrellas
Containers, clothes	Lining, clothes	Yarns
Display cabinets (1)(2)	Luggage	

(1) Articles shall be in mixed shipments with articles listed but not flagged (1).

(2) Limited to transportation between retail stores or their warehouses located in Service Areas (A), *(B) and *(H) in motor vehicle equipment in the exclusive use of one shipper.

Issued by California Public Utilities Commission.

*Added by Decision No. 61197, Application No. 42798.

APPENDIX "B" TO DECISION NO. 61197

RATE AND RULES FOR TRANSPORTATION
PERFORMED BY A & B GARMENT DELIVERY
OF SAN FRANCISCO UNDER HOURLY
VEHICLE UNIT RATE.

A & B Garment Delivery of San Francisco is authorized to assess a rate of \$7.40 per hour for the transportation of garments, clothing, wearing apparel and merchandise incidental thereto; and also store and office furniture and equipment and advertising materials when shipped with the foregoing commodities, between retail stores and warehouses thereof, between:

- (a) All points in the San Francisco Territory and within five miles of the boundary thereof.
- (b) All points on U.S. Highway 101 between San Francisco and junction with State Highway 37, one mile north of Ignacio, inclusive, including all off-route points within three miles of the said route, and the off-route points of Belvedere, Tiburon, Mill Valley, San Anselmo, Fairfax and Novato; and
- (c) All points on State Highway 24 between Oakland and Walnut Creek, inclusive.

The above transportation is subject to the following limitations and conditions:

- (1) Shipments shall not exceed 4,500 pounds.
- (2) Minimum charge will be \$7.40.
- (3) No shipments of property shall be transported from retail stores or retail sales warehouses where the property has been sold at retail by a retail merchant.
- (4) Time shall be computed from the time the vehicle leaves carrier's place of business until it arrives back at said place of business.
- (5) Rate authorized above applies for service performed during regular working hours of 8:00 a.m. through 5:00 p.m., except Saturdays, Sundays and the following holidays: New Year's Day, Washington's Birthday, Decoration (Memorial) Day, Fourth of July, Labor Day, Admission Day, Thanksgiving Day and Christmas Day. When such holidays fall on Sunday

the following Monday shall be considered a holiday. For services performed at the request of the shipper or consignee at other than said regular working hours and on Saturdays, Sundays and holidays shown, an additional charge equal to the actual additional overtime cost will be made.

- (6) Actual bridge tolls shall be added to the above rate when such facilities are used.
- (7) Rate authorized above applies for the exclusive use of equipment furnished.

End of Appendix "B"