

Decision No. 61359

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SIGNAL TRUCKING SERVICE, LTD., a)
corporation, for authority to depart)
from the rates, rules, and regulations)
of Minimum Rate Tariff No. 2 and)
Minimum Rate Tariff No. 5, under the)
provisions of the Highway Carriers')
Act and of the City Carriers' Act.)

Application No. 42832

OPINION AND ORDER

By Decision No. 59638, dated February 9, 1960, in Application No. 41787, Signal Trucking Service, Ltd., was authorized as a city carrier and as a highway contract carrier to observe monthly and hourly vehicle unit rates in lieu of the minimum rates in cents per 100 pounds otherwise applicable for the transportation of structural materials and babbitt metal for Joseph T. Ryerson & Son, Inc. The transportation is performed between the shipper's Los Angeles plant and points in Los Angeles, Kern, Orange, Riverside, San Bernardino, San Diego and Ventura Counties. The rates are on the same level as those set forth in Items Nos. 420-L and 430-M of Minimum Rate Tariff No. 5. The authority is scheduled to expire February 28, 1961.

By this application, filed November 7, 1960, authority is sought to continue the above deviation from the minimum rates, but to (1) increase the hourly rates to the level of the increases authorized by the Commission in Decision No. 60622, dated August 23, 1960, in Case No. 5435 (Petition for Modification No. 21), and (2) enlarge the commodity description of articles which applicant is authorized to transport under this authority to include specified

¹ This decision authorized increases of approximately four percent in the minimum rates set forth in Minimum Rate Tariff No. 5 for the transportation of property in the Los Angeles Drayage Area. Thus the proposed rates are on the same level as those set forth in Items Nos. 420-M and 430-N of said tariff.

aluminum and plastic articles, all iron and steel articles under the generic heading of iron or steel in Consolidated Freight Classification 22, and pipe, conduit, wrought iron or steel, and other pipe or tubing and fittings, iron or steel, nonbn.²

Applicant states that the change in commodity description is being made to conform to the types of commodities handled by Joseph T. Ryerson & Son, Inc. Applicant avers that, based upon its experience during the past years in performing this service and taking into consideration the rates proposed herein, it is satisfied that it can continue to provide the service proposed at a satisfactory profit and that the proposed rates will be fully compensatory.

The application shows that on or about November 4, 1960, a copy thereof was served on interested parties, including California Trucking Associations, Inc. No objection to its being granted has been received.

In the circumstances, it appears, and the Commission finds, that the proposed monthly and hourly vehicle-unit rates are reasonable and consistent with the public interest for the transportation involved herein. A public hearing is not necessary. The application will be granted. However, as the conditions surrounding the transportation involved herein may change, the extension will be limited to one year unless sooner canceled, changed or extended by order of the Commission.

By Decision No. 58022, dated February 17, 1959, in

2

No authority for the increase is required from this Commission, inasmuch as applicant is a permitted carrier for which only minimum rates have been established. Authority for the use of such rates beyond February 28, 1961, is required, however, inasmuch as the rates sought will be on a basis different from that prescribed in the minimum rate orders, and, in some instances, below the minimum rates otherwise applicable.

Application No. 27769 (Fourteenth Supplemental), applicant's radial highway common carrier permit was restricted to exclude the transportation of the same commodities between the same points as those herein involved. That restriction was necessitated by the provision of Section 3542 of the Public Utilities Code. The code provision was amended in September, 1959, obviating the need for the permit restriction. The restriction will be eliminated.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Signal Trucking Service, Ltd., is hereby authorized to depart from the provisions of the minimum rate orders otherwise applicable to the services which it performs for Joseph T. Ryerson & Son, Inc., to the extent specifically provided in Appendix "A" which is attached hereto and by this reference made a part hereof.

(2) That the limitation placed against the radial highway common carrier permit of Signal Trucking Service, Ltd., by Decision No. 58022, dated February 17, 1959, in Application No. 27769 (Fourteenth Supplemental), which excluded transportation thereunder of the same commodities between the same points as are involved herein, is hereby removed.

(3) That the authority herein granted shall expire February 28, 1962, unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 17th day of January, 1961.

[Handwritten signature]

President
[Handwritten signature]

[Handwritten signature]

Commissioners

APPENDIX "A" TO DECISION NO. 61359UNIT RATES, RULES AND REGULATIONSMONTHLY RATES (1)

<u>Weight in Pounds (2)</u>		<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
	2,500 or less	800	09	536
Over	2,500 but not over 5,000	825	10	536
"	5,000 " " 8,000	850	11½	536
"	8,000 " " 12,000	875	12	536
"	12,000 " " 20,000	975	12½	536
"	20,000 " " 30,000	1050	14½	549
"	30,000	1200	18½	554

Column A - Rates in dollars per unit of carrier's equipment for a period of twenty-one successive days or, when the equipment is not operated on Saturdays, Sundays and holidays, for a period of twenty-one successive days exclusive of Saturdays, Sundays and holidays, or any portion of such periods. When equipment is operated in excess of 1,050 miles during the period, add rates provided by Column B. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column C.

Column B - Rates in cents per mile to be added to the Column A rates when the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.

Column C - Rates in cents per hour to be added to the Column A rates when the unit of carrier's equipment is operated in excess of the maximum hours allowed thereunder.

(1) Charges for deliveries in Kern, Riverside, San Bernardino, San Diego and Ventura Counties shall be constructed by adding to the charge computed at the rates provided in Columns A, B, and/or C any charge accrued or paid for drivers' wages which is in excess of the charge which would have accrued at the regular and/or overtime wage rates in effect on February 1, 1960, for drivers making deliveries in the Los Angeles Drayage Area, as described in Items Nos. 30, 31, 32 and 33 of Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504, as amended).

(2) Weight in pounds is the gross weight of the property transported by the unit of carrier's equipment at the time the equipment is transporting the greatest (heaviest) load during the period covered by the transaction. No allowance shall be made for weight of containers.

APPENDIX "A" (Continued)

HOURLY RATES

<u>Weight in Pounds</u>	<u>Rates in Cents Per Hour</u>	<u>Minimum Charge in Cents</u>
250 or less	650	650
Over 250 but not over 2,500	800	800
Over 2,500 but not over 5,000	820	820
Over 5,000 but not over 8,000	850	850
Over 8,000 but not over 12,000	865	865
Over 12,000 but not over 20,000	975	975
Over 20,000 but not over 30,000	1,040	1,040
Over 30,000	1,190	1,190

Note 1. - Weight in pounds is the greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction. No allowance shall be made for weight of containers.

Note 2. - (a) The total of the loading, unloading and driving time computed from the arrival of carrier's equipment at point of origin, or first point of origin when more than one point of origin is involved, to the time unloading is completed at point of destination, or last point of destination when more than one point of destination is involved, subject to paragraph (b) hereof, shall be used to compute charges.

(b) In computing time under the basis outlined in paragraph (a) hereof the various time factors shall be not less than the actual time involved in minutes. After the total time has been determined under the provisions of paragraph (a) hereof, it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:

Less than 8 minutes ----- omit.
 8 minutes or more but less than 23 minutes shall be $\frac{1}{4}$ hour.
 23 minutes or more but less than 38 minutes shall be $\frac{1}{2}$ hour.
 38 minutes or more but less than 53 minutes shall be $\frac{3}{4}$ hour.
 53 minutes or more shall be 1 hour.

Note 3. - Between the hours of 6:00 P.M. and 7:00 A.M., and on Sundays or holidays, an additional charge at the rate of 210 cents per hour (or fraction thereof) shall be assessed.

APPENDIX "A" (Concluded)

RESTRICTIONS AND CONDITIONS

1. Rates apply only for the transportation of the following listed commodities, for Joseph T. Ryerson & Son, Inc., between its plant located at 4310 Sandini Boulevard in Los Angeles County, and other points in Los Angeles, Kern, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties:

ALUMINUM

Aluminum articles, Noibn, aluminum bars, beams, billets, ingots, slabs, stampings, extrusions, moldings, plate, sheets, rods, bars and structural forms.

PLASTICS

Plastic materials, synthetic, and related articles, Noibn, plastic block, plate, rods, sheets, tubes, unfinished shapes, fittings, pipe or tubing, panels or sheets.

IRON OR STEEL

All Iron or Steel articles under the generic heading of iron or steel in Consolidated Freight Classification No. 22 and pipe, conduit, wrought iron or steel and other pipe or tubing and fittings, iron or steel, Noibn.

2. Rates are subject to Items Nos. 10, 11, 150, 160 and 401 series of Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504, as amended in Case No. 4121.)

3. Signal Trucking Service, Ltd., shall issue, for each vehicle furnished, a shipping document containing a certification that during the period covered by the document the vehicle was operated only in transportation service for which rates are provided by this Decision (or full explanation of other operations, with reference to shipping documents covering), showing rates and charges assessed, and containing all such information respecting each of the factors entering into the computation of the charges as may be necessary to verify the lawfulness of the charges assessed. Signal Trucking Service, Ltd., shall retain and preserve a copy of each such shipping document, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance.

(End of Appendix "A")