

61710

ORIGINAL

Decision No. \_\_\_\_\_

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 regula- ) Application No. 43166  
 tions of Minimum Rate Tariff No. 5 )  
 and Minimum Rate Tariff No. 2, under )  
 the provisions of the City Carriers' )  
 Act and of the Highway Carriers' Act. )

OPINION AND ORDER

By Decision No. 59938, dated April 12, 1960, in Application No. 40953, applicant was authorized to charge rates and to observe rules and regulations which are less, in volume or effect, than the minimum rates, rules and regulations otherwise applicable for the transportation of property for Sears, Roebuck and Co. The transportation applies between points within a radius of 45 constructive miles of First and Main Streets, Los Angeles. The authority is scheduled to expire April 12, 1961.

By this application, filed February 20, 1961, applicant seeks authority to continue the current authorization, but to make the following changes:

1. Increase its rates in line with minimum-rate increases established by the Commission in Decisions Nos. 60621 and 60622.<sup>1</sup>
2. Increase applicable territory from a radius of 45 to 60 constructive miles.
3. Establish daily rates predicated upon the proposed monthly rates.
4. Establish a uniform monthly rate per trailer for extra semi-trailers in lieu of a separate rate for Hi-Cube trailers.

<sup>1</sup>

Applicant does not require Commission authority to increase the rates, inasmuch as it is a permit carrier for which only minimum rates have been established. Authority for the use of the sought rates beyond April 12, 1961, is required, however, as the rates sought will in some instances be on a basis different from that prescribed in the minimum rate orders and below the minimum rates otherwise applicable.

According to the application, the proposed daily rates will not have frequent use; however, the requirements of the shipper are such that in order to meet the needs of its customers, occasion requires the use of additional equipment on a daily basis. Applicant states that the present authority provides a monthly rate for extra semi-trailers of \$70.00 per regular trailer and \$90.00 for a 24-foot Hi-Cube trailer. In the interest of simplicity applicant and shipper have concluded that it would be better to have a uniform rate and have agreed upon a monthly rate of \$82.00 per trailer.

Based upon its past experience, and taking into consideration the rates proposed herein, applicant alleges it is satisfied that it can continue to provide the service involved herein at the rates proposed at a satisfactory profit, and that said proposed rates are fully compensatory.

The application shows that on or about February 17, 1961, a copy thereof was served upon the shipper and California Trucking Associations, Inc. No objection to the granting of the application has been received. The Transportation Division staff has reviewed the verified application and has recommended that it be granted.

In the circumstances, it appears, and the Commission finds, that the proposed rates, rules and regulations are reasonable and consistent with the public interest. 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.

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 Sears, Roebuck and Co. to the extent specifically provided in Appendix "A" which is attached hereto and by this reference made a part hereof.

(2) That the authority herein granted shall expire April 12, 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 21st day of March, 1961.

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President  
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Commissioners

APPENDIX "A" TO DECISION NO. 61710

Minimum rates, rules and regulations applicable to the transportation of property by Signal Trucking Service, Ltd., for Sears, Roebuck and Co. by shuttle delivery service.

Rules and Regulations

- (a) Rates apply only for the transportation of property, regardless of classification, between stores, warehouses or other properties owned, leased, operated, or controlled by Sears, Roebuck and Co.
- (b) (1) Rates apply between points within a radius of 60 constructive miles, computed in accordance with the provisions of Distance Table No. 4 (Appendix "A" of Decision No. 46022, as amended, in Case No. 4808), from the intersection of First and Main Streets, Los Angeles.
- (2) Rates also apply between points located within the territory described in above paragraph (b) (1) on the one hand and points within the corporate limits of the cities of San Diego, Riverside, San Bernardino, Ventura, Santa Barbara, and Oxnard on the other hand.
- (c) Rates are subject to Items Nos. 10, 11, and 150 Series of Minimum Rate Tariff No. 5 (Appendix "A" to Decision No. 32504, amended, in Case No. 4121).
- (d) Rates are subject to an additional charge at the rate of \$4.30 per man, per hour, minimum charge \$2.15, when carrier furnishes help in addition to the driver. The time for computing the additional charge shall be not less than the actual time in minutes the helper or helpers are engaged in performing the services. The total time so computed 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 1/4 hour. |
| 23 minutes or more but less than 38 minutes |       | shall be 1/2 hour. |
| 38 minutes or more but less than 53 minutes |       | shall be 3/4 hour. |
| 53 minutes or more                          |       | shall be 1 hour.   |
- (e) 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 herein provided (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.
- (f) Charges on shipments transported to or from San Diego, Riverside, San Bernardino, Ventura, Santa Barbara, and Oxnard shall not be less than those applicable to shipments of 12,000 pounds.

(g) Charges on shipments transported to or from San Diego, Riverside, San Bernardino, Ventura, Santa Barbara, and Oxnard shall be constructed by adding to the charge computed at the rates provided on page 3 in Columns 1 through 8 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 July 1, 1960, for drivers engaged in making deliveries in shuttle delivery service within the area described in paragraph (b) (1) above.

Hourly Rates

<u>Weight in Pounds</u>	<u>Rates in Cents per Hour</u>	<u>Minimum Charges 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	1040	1040
Over 30,000	1190	1190

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 1/4 hour.
23 minutes or more but less than 38 minutes	shall be 1/2 hour.
38 minutes or more but less than 53 minutes	shall be 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.

Daily, Weekly and Monthly Rates -

Weight in Pounds Subject to NOTE 1:	C O L U M N							
	1	2	3	4	5	6	7	8
2,500 or less.....	200	254	798	38.00	970	38.80	09	502
Over 2,500 but not over 5,000	205	260	822	39.14	996	39.84	10½	502
Over 5,000 but not over 8,000	212	268	852	40.57	1029	41.16	12	502
Over 8,000 but not over 12,000	216	274	869	41.38	1046	41.84	12½	502
Over 12,000 but not over 20,000	243	306	995	47.38	1175	47.00	13	502
Over 20,000 but not over 30,000	260	326	1063	50.62	1251	50.04	15	518
Over 30,000 .....	298	372	1236	58.86	1434	57.36	19	523

COLUMN 1 - Rates in dollars per unit of carrier's equipment for a period of five successive days or any portion thereof, excluding Sundays and holidays, and limited to 8 hours out of each 9 consecutive hours. When equipment is operated in excess of 250 miles during such period, add rates provided by Column 7. When equipment is operated in excess of 8 hours in each 9 hours, add rates provided by Column 8.

COLUMN 2 - Rates in dollars per unit of carrier's equipment for a period of six successive days or any portion thereof, excluding Sundays and holidays, and limited to 8 hours out of each 9 consecutive hours. When equipment is operated in excess of 300 miles during such period, add rates provided by Column 7. When equipment is operated in excess of 8 hours in each 9 hours, add rates provided by Column 8.

COLUMN 3 - 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 7. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column 8.

COLUMN 4 - Rates in dollars per unit of carrier's equipment for a period of one day or any portion thereof, excluding Sundays and holidays, and limited to 8 hours out of each 9 consecutive hours. When equipment is operated in excess of 50 miles during such period, add rates provided by Column 7. When equipment is operated in excess of 8 hours, add rates provided by Column 8. This charge is applicable only to a calendar month that does not contain 21 successive working days exclusive of Saturdays, Sundays, and holidays, and used only as a daily pro-ration of rates shown in Column 3.

COLUMN 5 - Rates in dollars per unit of carrier's equipment for a period of twenty-five successive days or, when the equipment is not operated on Sundays and holidays, for a period of twenty-five successive days, exclusive of Sundays and holidays, or any portion of such periods. When equipment is operated in excess of 1,250 miles during the period, add rates provided by Column 7. When equipment is operated in excess of 8 hours in any one day, add rates provided by Column 8.

COLUMN 6 - Rates in dollars per unit of carrier's equipment for a period of one day or any portion thereof, excluding Sundays and holidays, and limited to 8 hours out of each 9 consecutive hours. When equipment is operated in excess of 50 miles during such period add rates provided by Column 7. When equipment is operated in excess of 8 hours add rates provided by Column 8. This charge is applicable only to a calendar month that does not contain 25 successive working days exclusive of Sundays and holidays, and used only as a daily pro-ration of rates shown in Column 5.

COLUMN 7 - Rates in cents per mile to be added to the Columns 1, 2, 3, and 5 rates when the unit of carrier's equipment is operated in excess of the maximum mileage allowed thereunder.

COLUMN 8 - Rates in cents per hour to be added to the Columns 1, 2, 3, and 5 rates when the unit of carrier's equipment is operated in excess of the maximum hours allowed thereunder.

NOTE 1. - 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.

Rates for Extra Semi-Trailers

Rate per trailer, per day	\$ 5.00
Rate per trailer, per week	25.00
Rate per trailer, per month	82.00

(End of Appendix "A")