

62099

Decision No. _____

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. 17

Robert C. Riegg, Robert E. Bawden, Don C. Gay, Jr.,
Howard Jones and C. L. Van Den Heurk, for
various household goods carriers, petitioners.
Glenn R. Crawford, Jackson W. Kendall, Frank
Mazetti, Charles R. Nelson, Maurice A. Owens,
J. C. Kaspar, A. D. Poe and J. X. Quintrall,
for various household goods carriers and
carrier associations, interested parties.
Robert E. Walker, for the Commission staff.

O P I N I O N

By this petition Robert C. Riegg, doing business as R & R Van & Storage Company, and five other household goods carriers, with headquarters in Walnut Creek or the vicinity thereof, seek modification of Minimum Rate Tariff No. 4-A. This tariff names rates, rules and regulations for the transportation of uncrated, used household goods and related articles between points in this State.

Specifically, petitioners propose the elimination of Route No. 1 from Item No. 500-D of the aforesaid tariff. In Item No. 430 are set forth point-to-point rates between Metropolitan San Francisco-Oakland Area, on the one hand, and Metropolitan Los Angeles Area and Metropolitan San Diego Area, on the other hand.¹ These rates also apply on shipments moving from or to directly intermediate unnamed points which are located on certain designated routes as set forth in Item No. 500-D. The rates in question also apply from or to

¹The item in question names other point-to-point rates between various points in the State. The above-described rates are representative.

points located within a distance of five actual miles from any point on said routes. Among these routes is the aforesaid Route No. 1, which reads as follows:

"From Metropolitan San Francisco-Oakland Area via State Route 24 to Walnut Creek; thence southerly via State Route 21 to Dublin; thence easterly via Highway U. S. 50 to its junction with State Route 120, 5.0 miles west of Manteca; thence via State Route 120 to Manteca; thence via Highway U. S. 99 to Metropolitan Los Angeles Area." ²

Public hearing of the petition was held before Examiner Carter R. Bishop at San Francisco on February 21, 1961.

Evidence on behalf of petitioners was adduced principally through one of their number, a sole proprietor. Representatives of each of the other petitioners testified regarding the traffic of their respective companies. A representative of the California Trucking Associations and an assistant transportation rate expert from the Commission's staff assisted in the development of the record.

The record discloses the following facts: Petitioners all participate in the movement of household goods from the Walnut Creek-Concord area to Los Angeles and vicinity. For the group as a whole the shipments average about 21 per month and weigh, for the most part, 4,000 pounds or more. Approximately a third of these originate at points located either on Route No. 1 or within five miles on either side thereof, and are, therefore, subject to the San Francisco-Los Angeles rates under the aforesaid "intermediate application" provisions. ³ The provisions under which the San Francisco-Los Angeles rates are applicable from and to points within five miles of Route

² The routes specified in Item No. 500-D apply in either direction.

³ The San Francisco-Los Angeles rate on a shipment of 4,000 pounds of household goods, as set forth in Minimum Rate Tariff No.4-A, is \$4.55 per 100 pounds. The corresponding mileage rate, for example, for a constructive highway distance of 427.5 miles (the distance from Walnut Creek to Los Angeles) is \$6.50 per 100 pounds. ✓

No. 1 has resulted in some confusion as to the applicable minimum rates under said provisions. There have been instances of misquotation of rates, and of divergent quotations by different carriers. A factor contributing to this situation is the difficulty in determining whether points near the zone boundary are located within the above-mentioned ten-mile zone.

Further, dissatisfaction and complaints of being discriminated against have frequently been registered with petitioners by customers located in portions of a city which are outside the ten-mile zone of Route No. 1, while other portions of the same city (Concord, for example) are within said zone. Thus, those customers who are located outside the ten-mile zone must pay higher moving rates to the Los Angeles area than do other customers in the same city who get the benefit of the San Francisco-Los Angeles rate by reason of their favorable location.

Petitioners are aware of the fact that the above-mentioned difficulties are encountered wherever the ten-mile zone rule is operative in connection with the intermediate application of point-to-point rates provided in the tariff in question. The carriers point out, however, that the situation is particularly acute, where, as in the Walnut Creek-Concord area, population has spread across the zone boundary to locations outside the zone.

The record also shows that Route No. 1 is not one normally used by household goods carriers in transporting property between San Francisco-Oakland Metropolitan Area and points in Southern California. Such movements are normally accomplished via Route No. 2 or Route No. 3. The former of these is via routes along the east shore of San Francisco Bay thence via Dublin Canyon, Altamont Pass and U. S. Highway 99. The latter is via the Coast Route (U. S. Highway 101).

Petitioners point out that the volume of traffic moving between Southern California and those points on Route No. 1 (including those in the above-mentioned zone) which distinguish that route from Route No. 2 is relatively light. By reason of this, and in view of the fact that the Commission recently eliminated another non-normal route between San Francisco Bay points and Southern California,⁴ petitioners assert that the distance rates provided in Minimum Rate Tariff No. 4-A will be reasonable for the traffic here in issue.

No one appeared in opposition to the granting of the petition.

Upon consideration of all the facts and circumstances of record, we find that the distance rates maintained in Item No. 420 are the just, reasonable and nondiscriminatory minimum rates for long-distance moving to and from points located on and along that portion (including all points located within five miles thereof) of Route No. 1 extending from the eastern boundary of San Francisco-Oakland Metropolitan Area to Dublin and that Route No. 1 should therefore be canceled. The increases resulting from the cancellation of said routes are justified.

Concurrently with the cancellation of Route No. 1, certain other changes in the routes specified in Item No. 430 will, for clarification, be made.

O R D E R

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

IT IS ORDERED that:

1. Minimum Rate Tariff No. 4-A (Appendix "A" of Decision No. 44919, as amended) is hereby further amended by incorporating

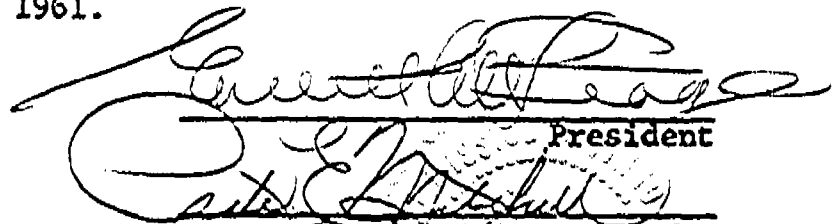
⁴By Decision No. 59088, dated September 29, 1959, in Case No. 5330. The route in question extended from San Francisco via Crockett and routes paralleling the Southern Pacific Company tracks through Pittsburg and Tracy to Manteca, thence via U. S. Highway 99.

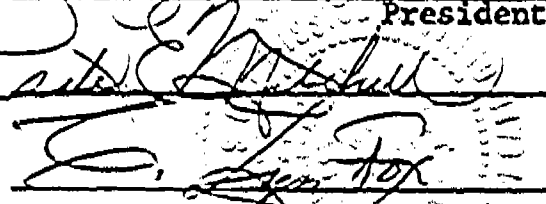
therein, to become effective July 22, 1961, Eighth Revised Page 28 and Fifth Revised Page 31, which revised pages are attached hereto and by this reference made a part hereof.

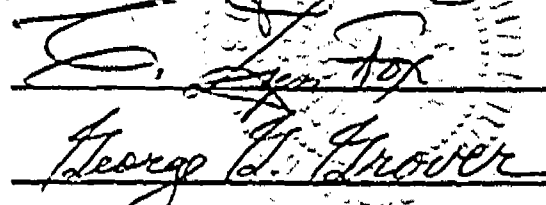
2. In all other respects said Decision No. 44919, as amended, shall remain in full force and effect.

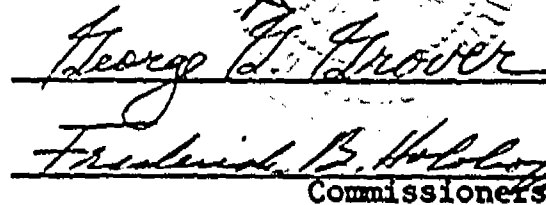
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 6th day of May, 1961.



President






Commissioners

SECTION NO. 3 - RATES (Continued)							Item No.
Point-to-Point Rates in Cents per 100 Pounds (1) (2)							
BETWEEN (3)	AND (3)	MINIMUM WEIGHT (In Pounds)					Via Routes (See Items Nos. 500 and 500-1)
		100	500	1000	2000	4000	
Metropolitan Los Angeles Area	Metropolitan San Francisco- Oakland Area	1470	810	680	530	455	2,3, or 4
	Metropolitan Sacramento Area	1470	810	680	530	455	6
	Stockton	1470	810	680	530	455	6
	Modesto	1470	810	680	530	455	Δ6
	Merced	1470	810	680	530	455	Δ6
	Fresno	1470	810	680	530	455	Δ6
	Tulare	1470	810	680	530	455	Δ6
	Metropolitan Bakersfield Area	1400	755	620	485	400	Δ6
	San Jose	1470	810	680	530	455	3
	Salinas	1470	810	680	530	455	3
	San Luis Obispo	1470	810	680	530	455	3
	Santa Maria	1470	810	680	530	455	3
	Metropolitan Santa Barbara Area	1380	735	590	455	360	3
	Ventura	1360	715	580	440	340	3
	Oxnard	1360	715	570	430	330	3
Metropolitan San Diego Area	1335	700	550	420	330	5	
Metropolitan San Francisco -Oakland Area	Metropolitan Sacramento Area	1390	735	590	450	350	7
	Stockton	1400	745	600	455	360	8
	Modesto	1400	745	600	455	360	0 2
	Merced	1430	785	640	500	410	0 2
	Fresno	1470	810	680	530	455	0 2
	Tulare	1470	810	680	530	455	0 2
	Metropolitan Bakersfield Area	1470	810	680	530	455	0 2
	San Jose	1350	705	550	410	310	3 or 4
	Salinas	1380	735	590	455	360	3 or 4
	King City	1430	795	645	510	420	3 or 4
	San Luis Obispo	1470	810	680	530	455	3 or 4
	Santa Maria	1470	810	680	530	455	3 or 4
	Metropolitan Santa Barbara Area	1470	810	680	530	455	3 or 4
	Ventura	1470	810	680	530	455	3 or 4
	Oxnard	1470	810	680	530	455	3 or 4
Metropolitan San Diego Area	1540	885	760	635	555	2,3, or 4 thence 5	
Metropolitan Sacramento Area	Stockton	1350	705	550	410	310	6
	Modesto	1360	715	580	440	340	6
	Merced	1400	755	610	475	380	6
	Fresno	1470	805	665	530	440	6
	Tulare	1470	810	680	530	455	6
	Metropolitan Bakersfield Area	1470	810	680	530	455	6
Metropolitan San Diego Area	1540	885	760	635	555	6 thence 5	

*430

Metropolitan San Diego Area	Fresno	1540	885	760	635	555	Δ5	thence 6
	Tulare	1520	870	745	615	535	Δ5	thence 6
	Metropolitan Bakers- field Area	1490	845	715	575	500	Δ5	thence 6
	San Luis Obispo	1540	885	760	635	555	5	thence 3
	Santa Maria	1500	855	730	595	520	5	thence 3
	Metropolitan Santa Barbara Area	1480	825	685	530	455	5	thence 3
	Ventura	1460	805	665	520	440	5	thence 3
	Oxnard	1450	795	655	510	430	5	thence 3

(1) Minimum charge - the charge for 100 pounds at the applicable rate.

(2) (a) The rates in this item also apply on shipments from, to, or between unnamed points directly intermediate between the named points or areas via routes shown in Items Nos. 500 and 500-1, when they result in lower charges on the same shipment than charges accruing under the Distance Rates in Item No. 420.

(b) Rates in this item also apply (1) from, to, or between all points of origin or destination located within a distance of five actual highway miles from any point directly intermediate on such route and (2) from, to, or between all points of origin or destination located within incorporated cities through which such route passes. (See Exception)

(c) When routes named in connection with rates in this item extend beyond the named points or areas, rates in this item are intermediate in application via that portion of such route or routes which connect such named points or areas.

(3) See Section No. 2 for descriptions of metropolitan areas.

EXCEPTION: Paragraph (2)(b)(1) above does not apply to that portion of an authorized route as set forth in Items Nos. 500 and 500-1 located within a metropolitan area.

* Change
 ◊ Increase
 Δ Change, neither increase
 nor reduction

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EFFECTIVE JULY 22, 1961

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 113

SECTION NO. 4 - ROUTES	Item No.
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Routing for Rates Provided in Item No. 430 (See Note in Item No. 500-1)
 (The following routes apply in either direction.)

*ROUTE NO. 1: o***

ROUTE NO. 2: From Metropolitan San Francisco-Oakland Area via (a) Highway U.S. 50 to its junction with unnumbered County Road east of Livermore; or (b) from Metropolitan San Francisco-Oakland Area via State Route 17 to San Leandro, or from Metropolitan Oakland via State Route 17 to San Leandro, thence unnumbered highway through Hayward to Fremont or State Route 17 to Fremont, thence unnumbered highway and Niles Canyon Highway to Sunol, State Route 21 and unnumbered County Road through Pleasanton and Livermore to its junction with Highway U.S. 50 east of Livermore, thence Highway U.S. 50 to its junction with State Route 120, 5.0 miles west of Manteca, State Route 120 to Manteca, thence via Highway U.S. 99 to Metropolitan Los Angeles Area.

*500

ROUTE NO. 3: From Metropolitan San Francisco-Oakland Area via Highway U.S. 101 or 101-Alternate to San Jose, thence Highway U.S. 101 to its junction with State Route 118, 4.0 miles southeast of Ventura, thence via (a) State Route 118 through Chatsworth, or (b) Highway U.S. 101 through Calabasas, or (c) Highway U.S. 101 to its junction with Highway U.S. 101-Alternate at El Rio, thence Highway U.S. 101-Alternate through Oxnard, or (d) Highway U.S. 101 to its junction with State Route 126, 3.0 miles southeast of Ventura, thence via State Route 126 to its junction with Highway U.S. 99 at Castaic Junction, thence via Highway U.S. 99 to Metropolitan Los Angeles Area.

* Change)		
o Increase)	Decision No.	62099
*** Route No. 1 eliminated)		

EFFECTIVE JULY 22, 1961

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

Correction No. 114