

Decision No. 65030

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation )  
into the constructive mileages, and )  
related rules and provisions of all )  
common carriers, highway carriers )  
and city carriers relating to the )  
transportation of any and all com- )  
modities between all points in )  
California (including, but not )  
limited to, constructive mileages )  
provided in the Distance Table). )

Case No. 7024  
(Petition for Modification No. 4)  
(Filed January 8, 1963)

OPINION AND ORDER

By the above-numbered petition for modification,  
Sacramento-Yolo Port District seeks the revision of the Commission's  
Distance Table No. 4 to make specific provision for the Port of  
Sacramento.<sup>1</sup>

Petitioner states that the marine terminal facilities and  
deep water channel of the Port of Sacramento will be completed and in  
operation within the next six months; that the port will then become  
a major seaport; and that large quantities of freight will move from  
and to this port under rates governed by Distance Table No. 4.

Petitioner states that the Port of Sacramento is located  
contiguous to the unincorporated community of West Sacramento; that  
such community is named in black on the map in Section 4 of Distance  
Table No. 4; that, under Rule 3 of the distance table, the mileage  
basing point for West Sacramento is the post office as there is no  
rail station; that Rule 4(c) of the distance table states essentially  
that the mileage basing point shall be used as the terminal point in

---

<sup>1</sup> Sacramento-Yolo Port District is a political subdivision of the  
State of California, formed pursuant to Division 8, Part 6, Harbors  
and Navigation Code, State of California, as amended.

constructive mileage determinations for all points within a mile radius; and that the Port of Sacramento is located approximately one and one-eighth miles from the West Sacramento post office.

Petitioner further alleges that the fact that the Port of Sacramento is not within the limits of West Sacramento will create an undue and unwarranted hardship to the public unless Distance Table No. 4 is amended as requested; that the mere fact that the Port of Sacramento is not within any mileage basing point established in the distance table will create a burden in determining distances; that, if the distance is determined by the use of actual highway mileages under the rules of Distance Table No. 4, it will mean an extra mile over West Sacramento; that the Port of Sacramento operationally will be one of the most convenient places for trucks to reach, and will be closer in actual distance than most points within West Sacramento on traffic coming from the west; that the increased rates, increased difficulty in determining distances under the present rules and increased susceptibility to error created by the Port of Sacramento not being within West Sacramento will be harmful to the shippers and carriers of this state; that Distance Table No. 5, which would rectify the problem by placing the port within the mileage basing point of Sacramento, will not be adopted and coupled with the appropriate rate tariff in time to serve the Port of Sacramento at the commencement of its service to the area; and that it is therefore necessary to amend Distance Table No. 4 as proposed by petitioner.

The verified petition shows that, on or about January 7, 1963, a copy thereof was mailed to all known interested parties including the California Trucking Association. That organization has informed the Commission in writing that it has considered the proposed relief and has no objection to the ex parte consideration requested. No objection has been received to the granting of the petition.

Upon consideration of the evidence in this proceeding, it appears, and the Commission finds, (1) that the determination of the constructive mileages set forth in the supplement attached hereto is reasonable and justified; (2) that the proposed revisions of Distance Table No. 4, when applied in conjunction with the minimum rate tariffs subject thereto, will result in just, reasonable and nondiscriminatory minimum rates for transportation governed by said tariffs; (3) that, to the extent the provisions of Distance Table No. 4 heretofore have been found to constitute reasonable rules, regulations and distances for common carriers as defined in the Public Utilities Code, the provisions of said distance table as hereinafter modified are, and will be, reasonable provisions for said carriers; and (4) that to this same extent existing rules, regulations and distances which are maintained by said common carriers for transportation within California are and, for the future will be, unreasonable, insufficient and not justified by the actual competitive rates of competing carriers or by the cost of other means of transportation insofar as they are lower in volume or effect than those set forth in Distance Table No. 4, as hereinafter adjusted.

A public hearing is not necessary. The petition will be granted.

Good cause appearing,

IT IS ORDERED that:

1. Distance Table No. 4 (Appendix "A" of Decision No. 46022, as amended) is hereby further amended by incorporating therein, to become effective April 27, 1963, Supplement No. 10 attached hereto and by this reference made a part hereof.

2. Tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order on

not less than ten days' notice to the Commission and to the public and shall be made effective not later than April 27, 1963.

3. Common carriers are hereby authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code and from the provisions of Tariff Circular No. 2 and General Order No. 80-A to the extent necessary to carry out the effect of the order herein.

4. In all other respects said Decision No. 46022, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 6th day of March, 1963.

George E. Grever  
 President

Robert W. [unclear]

Fredrick B. Hallock

Dallan W. Bennett

---

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

SUPPLEMENT NO. 10

(Supplements Nos. 4, 9 and 10 Contain All Changes)

TO

DISTANCE TABLE NO. 4

CONTAINING

REGULATIONS, MILEAGE TABLES, AND MAPS

FOR THE DETERMINATION OF

HIGHWAY CONSTRUCTIVE MILEAGE

DISTANCES

BETWEEN

POINTS WITHIN THE STATE OF CALIFORNIA

Constructive mileage distances from and to the Port of Sacramento are, and for the future will be, the mileages from and to West Sacramento.

◇ Increase     )  
◊ Reduction   )    Decision No.    65030

EFFECTIVE APRIL 27, 1963

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