

ORIGINALDecision No. 65591

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 common)
 carriers, highway carriers and city)
 carriers relating to the transportation)
 of uncrated new furniture (commodities)
 for which rates are provided in Minimum)
 Rate Tariff No. 11-A).)

Case No. 5603
 (Petition for
 Modification No. 15)

Arlo D. Poe, James Quintrall and J. C. Kaspar, for
California Trucking Associations, Inc., petitioner.
Crowell Warner, for North American Van Lines, Inc.,
 respondent.

R. C. Fels, for Furniture Manufacturers Association of
 California; Raymond E. Shull, for Sears, Roebuck and
 Company; interested parties.

Ralph J. Staunton and J. M. Jenkins, for the Commission
 staff.

O P I N I O N

Minimum Rate Tariff No. 11-A names minimum rates, rules and regulations for the transportation of uncrated new furniture by highway carriers. By this petition, filed January 16, 1963, the California Trucking Associations, Inc., requests increases in the minimum rates to compensate for increased costs experienced since the last minimum rate adjustment effective July 14, 1962.^{1/}

Public hearing was held before Examiner Turpen on March 20, 1963, at Los Angeles. Evidence was presented by petitioner's assistant director of research. Members of the Commission's staff assisted in developing the record. No one opposed the granting of the petition.

^{1/} Pursuant to Decision No. 63753, dated May 28, 1962, in Case No. 5603 (Petition No. 13).

The tariff names point-to-point rates applicable on shipments transported between the San Francisco Territory and the Los Angeles Territory, and two sets of distance rates, one of which is applicable on shipments having the point of origin in an area consisting of twelve counties located near San Francisco Bay, and the other set applicable on shipments having the point of origin in other than those twelve counties.^{2/} Three weight brackets are provided: any quantity, minimum weight 500 pounds, and minimum weight 2,000 pounds. Additional charges in cents per 100 pounds are provided when the point of origin is other than the carrier's depot.

Petitioner proposes increases in the distance rates of approximately 2½ to 2 percent in all of the Column B rates, and graduated amounts in the Column A rates ranging from 9 percent to 2 percent in the any quantity rates, 5 percent to ½ percent in the 500-pound bracket, and 2 percent to no increase in the 2,000-pound bracket, the larger increases being for the lower mileages and the smaller increases for the higher mileages. The point-to-point rates are proposed to be increased by the same percentages as the Column A rates for comparable distances. Petitioner also proposes increases in accessorial charges of 3 to 5 percent in the charge for pickup at other than carrier's depot and 5 percent in the hourly charge per man for delays and accessorial services. The minimum charge is proposed to be increased by 8 percent for distances under 150 constructive miles, and by 4 percent for longer distances.

Petitioner's assistant director of research introduced into evidence, in support of the proposals, exhibits showing the impact

^{2/} These are designated in the tariff, and will be referred to hereinafter, as Column B and Column A rates, respectively.

of increased labor costs, including payroll taxes and fringe benefits, incurred since the last rate adjustment. The witness said that the study did not include a cost of living increase in wage rates of one cent an hour which became effective February 1, 1963, nor did it take into account further increases in wage costs that will be incurred on November 1, 1963. The costs were used as the basis for developing petitioner's proposed rate increases.

Upon consideration of the facts and circumstances of record, the Commission finds that the increased rates and charges proposed by petitioner have been shown to be justified and that said increased rates and charges are, and will be, just, reasonable, and nondiscriminatory minimum rates and charges for the transportation services to which they apply. To the extent that the provisions of Minimum Rate Tariff No. 11 have been found heretofore to constitute reasonable minimum rates, rules and regulations for common carriers as defined in the Public Utilities Act, said provisions, as hereinafter adjusted, are, and will be, reasonable minimum rate provisions for said common carriers. To the extent that the existing rates and charges of said common carriers for the transportation involved are less in volume or effect than the minimum rates and charges herein designated as reasonable for said carriers, said rates and charges are hereby found to be, for the future, unreasonable, insufficient and not justified by the actual competitive rates of competing carriers or by the costs of other means of transportation.

The Commission concludes therefore that the petition should be granted as provided in the following order. ✓
✓

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 11-A (Appendix A of Decision No. 50114 as amended) is hereby further amended by incorporating therein, to become effective on August 10, 1963, Sixth Revised Page 6, Sixth Revised Page 7, Sixth Revised Page 15, and Fifth Revised Page 16, which revised pages are attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that such are subject also to said Decision No. 50114, as amended, are directed to establish in their tariffs the increases necessary to conform to the increases herein.

3. 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 August 10, 1963.

4. Common carriers, in establishing and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects said Decision No. 50114, 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 18th day of JUNE, 1963.

George T. Hoover
President
Robert E. Nichols
Robert W. Fago
Fredrick B. Hallock
William W. Brunell
Commissioners

SECTION NO. 1 - RULES AND REGULATIONS (Continued)

Item
No.

APPLICATION OF RATES

Rates provided in this tariff are for the transportation of shipments from point of origin to point of destination, and include loading into and unloading from carrier's unit of equipment, subject to Notes 1 and 2.

Note 1. When the point of origin is other than a depot, an additional rate as provided below shall be added to the rates set forth in Section 3.

<u>Minimum Weight</u>	<u>◊ Rates in Cents Per 100 Pounds</u>	
	<u>Column A(1)</u>	<u>Column B(2)</u>
Any Quantity	97	102
500 Pounds	83	91
2,000 Pounds	79	88
4,000 Pounds	59	59
6,000 Pounds	(3)	(3)

(1) Column A rates apply to shipments not subject to Column B rates.

(2) Column B rates apply only to shipments having point of origin in one of the following counties: San Francisco, San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey, Alameda, Contra Costa, Marin, Sonoma, Solano and Napa.

(3) No additional rate.

Note 2. The rates provided in Note 1 shall be added to the rates set forth in Section 3 in connection with shipments transported for persons, companies or corporations upon whose premises depots from which the transportation is performed are located.

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ACCESSORIAL SERVICES

When carrier performs any accessorial or incidental service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges shall be assessed as provided in Item No. 90. The charge therein provided for unit of equipment shall apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of its driver or helper being engaged in such service.

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DELAYS TO EQUIPMENT

When consignor or consignee is responsible for delay to carrier's equipment at or in vicinity of either point of loading or point of unloading in excess of 30 minutes (exclusive of time actually involved in loading or unloading) additional charges for delay time in excess of 30 minutes shall be assessed as provided in Item No. 90.

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CHARGES FOR ACCESSORIAL SERVICES OR DELAYS

For accessorial services or delays under the conditions specified in Items Nos. 70 and 80, charges shall be assessed for each period or fraction thereof, as follows:

690

	Charges in Cents	
	For First 30 Minutes	For Each Additional 15 Minutes
(a) For driver, helper or other employee, per man	◊ 190	◊ 95
(b) For unit of equipment ...	50	25

Change } Decision No. 65591
 ◊ Increase }

EFFECTIVE AUGUST 10, 1963

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

Correction No. 25

Sixth Revised Page 7

 Cancels

Fifth Revised Page 7

MINIMUM RATE TARIFF NO. 11-A

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">MINIMUM CHARGE</p> <p>(a) When the constructive distance from point of origin to point of destination does not exceed 150 miles, the minimum charge per shipment shall be ◊\$2.81.</p> <p>(b) When the constructive distance from point of origin to point of destination exceeds 150 miles, the minimum charge per shipment shall be ◊\$3.24.</p>	100
<p style="text-align: center;">SHIPMENTS TRANSPORTED BY TWO OR MORE CARRIERS</p> <p>When shipments in continuous through movement are transported by two or more carriers, the rates (including minimum charges) provided herein from point of origin to point of destination shall be the minimum rates for the combined transportation.</p>	110
<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated or combined by the carrier.</p>	120
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation and for the same accessorial services, than results from the application of the rates herein provided. (See Note)</p> <p>NOTE.-In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p>	130

ACCESSORIAL CHARGES NOT TO BE OFFSET BY
TRANSPORTATION CHARGES

Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected when such services are performed, regardless of the level of the transportation rate assessed. Such accessorial charges may not be waived on the basis that a higher-than-minimum transportation rate serves as an offset.

135

6 Change } Decision No. 65591
0 Increase }

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Correction No. 29

SECTION NO. 3 - RATES								Item No.
DISTANCE RATES IN CENTS PER 100 POUNDS(1)								
MILES		Any Quantity		Minimum Weight 500 Pounds		Minimum Weight 2,000 Pounds		
Over	But Not Over	Column A(2)	Column B(3)	Column A(2)	Column B(3)	Column A(2)	Column B(3)	
0	5	168	145	124	124	104	116	
5	10	171	152	127	130	108	124	
10	15	175	159	132	138	111	130	
15	20	183	165	138	145	116	136	
20	25	186	171	142	152	120	142	
25	30	189	180	146	158	124	152	
30	35	193	186	149	166	129	158	
35	40	196	194	153	172	133	165	
40	45	202	199	158	178	137	170	
45	50	205	207	161	185	140	178	
50	60	213	215	167	195	147	186	
60	70	220	229	175	210	154	202	
70	80	231	244	184	224	161	216	
80	90	240	257	190	237	168	228	
90	100	246	271	200	252	176	242	
100	110	255	283	208	264	184	256	
110	120	262	298	214	278	191	270	
120	130	272	311	222	290	198	282	
130	140	278	325	230	306	206	296	
140	150	287	340	238	320	214	312	0400
150	160	294	349	242	329	221	321	
160	170	302	357	247	336	228	328	
170	180	309	364	250	342	236	335	
180	190	317	369	255	349	244	340	
190	200	324	377	269	354	251	348	
200	220	336	386	283	366	264	358	
220	240	349	400	296	378	277	371	
240	260	364	412	308	392	291	383	
260	280	379	426	322	406	304	398	
280	300	394	438	335	418	318	410	
300	325	411	455	350	434	322	426	
325	350	429	470	366	450	347	443	
350	375	445	488	383	466	363	460	
375	400	462	504	399	483	378	475	
400	425	477	520	414	499	395	493	
425	450	499	545	433	521	422	516	
450	475	520	568	452	546	438	539	
475	500	542	591	471	569	455	562	
500	525	560	612	491	592	472	582	
525	550	582	634	510	615	489	607	
550	575	604	659	529	638	506	631	
575	600	626	682	548	661	522	655	
600	625	646	707	568	683	539	677	
625	650	667	728	587	708	554	701	
650	—	(4)	(4)	(4)	(4)	(4)	(4)	

- (1) Rates in this item apply only when point of origin is a depot. When point of origin is other than a depot, add to the rates provided in this item the additional rates, if any, provided in Item No. 60.
- (2) Column A rates apply to shipments not subject to Column B rates.
- (3) Column B rates apply only to shipments having point of origin in one of the following counties: San Francisco, San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey, Alameda, Contra Costa, Marin, Sonoma, Solano and Napa.
- (4) Add to the rate for 650 miles 20 cents per 100 pounds for each 25 miles or fraction thereof.

◊ Increase, Decision No.

65591

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San Francisco, California.

Correction No. 30

SECTION NO. 3 - RATES(Concluded)					Item No.
POINT-TO-POINT RATES IN CENTS PER 100 POUNDS(1)(2)					
<u>Between</u>	<u>And</u>	<u>Any Quantity</u>	<u>Minimum Weight 500 Pounds</u>	<u>Minimum Weight 2,000 Pounds</u>	
Los Angeles Territory	San Francisco Territory	0473	0410	389	4110
<p>(1) If charges accruing under rates in this item, applied on shipments from, to or between points intermediate between the Los Angeles and San Francisco Territories via routes shown in Item No. 500 are lower than charges accruing under the Distance Rates in Item No. 400, on the same shipment, such lower charges will apply. Rates in this item applied to intermediate points under these provisions apply at all points located within a distance of one actual highway mile on either side of the authorized route and at all points located within incorporated cities through which the highway route passes.</p> <p>(2) Rates in this item apply only when point of origin is a depot. When point of origin is other than a depot, add to the rates provided in this item the additional rates, if any, provided in Item No. 60.</p>					
} Change } Increase		Decision No. 65591			
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Correction No. 31					