

ORIGINAL

66226

Decision No. _____

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 fresh or)
green fruits and vegetables and)
related items (commodities for which)
rates are provided in Minimum Rate)
Tariff No. 8).)

Case No. 5438
(Petition for Modification
No. 42)
(Filed October 4, 1963)

OPINION AND ORDER

By Petition for Modification No. 42, in Case No. 5438, California Trucking Association seeks to amend Item No. 290 of Minimum Rate Tariff No. 8. The amendment would provide that the description of the old San Francisco "single market area" set forth in paragraph (a) of the above item under the heading of "San Francisco" be canceled and that the name of the new and permanent San Francisco "single market area" described in paragraph (b) of said item under the same heading be changed from "San Francisco Wholesale Market" to "San Francisco Produce Terminal." Petitioner requests that certain surcharges be made applicable to shipments or component parts of split delivery shipments having point of destination within the San Francisco Produce Terminal.¹

Petitioner alleges that the San Francisco Produce Terminal has established charges for the entry of for-hire vehicles identical with the gate fees established by the Golden Gate Produce Terminal and that carriers now using the new produce market are incurring the added expense of such gate fees.

¹The sought surcharges correspond with those authorized by Decision No. 66124 dated October 1, 1963, in Case No. 5438 (Petition for Modification No. 36). Such surcharges are to be applied effective November 23, 1963, to shipments or component parts of split delivery shipments having point of destination within the Golden Gate Produce Terminal.

Petitioner states that, in order to maintain competitive relationships and to ensure that carriers are returned the added costs of such gate fees, revision of Minimum Rate Tariff No. 8 is necessary to reflect the changed circumstances and to provide just, reasonable and nondiscriminatory tariff rates and charges; and the surcharges authorized by Decision No. 66124, supra, in connection with shipments destined to the Golden Gate Produce Terminal should also apply to shipments destined to the San Francisco Produce Terminal.

Petitioner avers that the need for expedited action in connection with the suggested tariff revisions is acute; carriers are now incurring the added expense of the gate fees; competitive equality between the markets will be disturbed with the effectiveness of the aforesaid Decision No. 66124; the precedents for such tariff provisions have been established by Decision No. 66124; and it is informed and believes that there is no objection to the proposed tariff revisions.

Copies of the verified petition were served upon the California Farm Bureau Federation, Golden Gate Produce Terminal and the San Francisco Produce Terminal. No objection has been received to the granting of this petition.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable, and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation herein involved. This is a matter in which a public hearing is not necessary. The petition will be granted.

In view of the effective date of the related rates and charges authorized by Decision No. 66124, supra, the order which follows will be made effective on November 13, 1963.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 8 (Appendix C of Decision No. 33977, as amended) is hereby further amended by incorporating therein, to become effective November 23, 1963, Supplement No. 23 and Eleventh Revised Page 27, which supplement and revised page are attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to said Decision No. 33977, as amended, are directed to establish in their tariffs the rate increases necessary to conform to the further increases herein in rates established by said decision.

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 such tariff publications shall be made effective not later than November 23, 1963; and the tariff publications which are authorized but not 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, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff supplement and page incorporated in this order.

4. Common carriers, in establishing and maintaining the rates authorized hereinabove, are 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 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. 33977, as amended, shall remain in full force and effect.

The effective date of this order shall be November 13, 1963.

Dated at San Francisco, California, this 29th day of October, 1963.

Andersson
President

Robert A. ...

Everett ...

George T. Brown

Fredrick B. Holoboff
Commissioners

SPECIAL INCREASE SUPPLEMENT

SUPPLEMENT NO. 23
(Cancels Supplement No. 22)

(Supplements Nos. 21 and 23 Contain All Changes)

TO
MINIMUM RATE TARIFF NO. 8
NAMING
MINIMUM RATES, RULES AND REGULATIONS
FOR THE
TRANSPORTATION OF FRESH FRUITS, FRESH VEGETABLES
AND EMPTY CONTAINERS OVER THE PUBLIC
HIGHWAYS BETWEEN POINTS IN THE
STATE OF CALIFORNIA AS DESCRIBED HEREIN
BY
CITY CARRIERS
RADIAL HIGHWAY COMMON CARRIERS
AND
HIGHWAY CONTRACT CARRIERS

◊ APPLICATION OF SURCHARGES
(See Page 2 of This Supplement)

◊ Increase, Decision No.

66226

EFFECTIVE NOVEMBER 23, 1963

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California

APPLICATION OF SURCHARGES

The surcharges herein provided apply only to shipments, or component parts of split delivery shipments, having point of destination within the GOLDEN GATE PRODUCE TERMINAL located at South San Francisco or the SAN FRANCISCO PRODUCE TERMINAL located at San Francisco (See Item No. 290 for descriptions).

The surcharges herein provided shall be in addition to all other rates, charges or surcharges provided by this tariff.

Compute the amount of charges in accordance with the provisions of this tariff and increase the amount so computed by the following amounts:

| <u>Packages or Pieces Delivered at Golden Gate Produce Terminal or San Francisco Produce Terminal</u> | <u>Surcharge (See Note 1)</u> |
|---|-----------------------------------|
| 50 or less | No Charge |
| More than 50 but not more than 150..... | \$1.00 |
| More than 150 but not more than 250..... | \$2.00 |
| More than 250..... | \$1.00 Per axle (See Note 2) |

NOTE 1.-- In the case of a shipment transported in multiple lots under the provisions of Item No. 185, the surcharges herein provided shall be determined by applying the table above separately to each single vehicle or train of vehicles transporting the shipment.

NOTE 2.-- All axles of the equipment on which the shipment, or portion of a multiple lot shipment, is transported are to be counted, whether said equipment consists of a single vehicle or of two or more vehicles operated as a single unit.

THE END

Eleventh Revised Page 27

 Cancels

Tenth Revised Page 27

 and

Ninth Revised Page 27

MINIMUM RATE TARIFF NO. 8

Item
No.

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL
APPLICATION (Concluded)

SINGLE MARKET AREAS

Each of the markets described below constitutes a single market area, and includes both sides of streets and avenues named.

Los Angeles

All points within a radius of one mile of the intersection of 9th Street and Central Avenue.

San Francisco

(a) **

(b) The San Francisco Produce Terminal bounded on the northeast by Hudson Avenue, on the southeast by the Southern Pacific Company main line right-of-way (intersecting Rankin Street), on the southwest by McKinnon Avenue, and on the northwest by Upton Street.

*South San Francisco

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The Golden Gate Produce Terminal bounded on the north by Terminal Court, on the east by Freeway Street and Bayshore Freeway (Highway U.S. 101), on the south by Navigable Slough, and on the west by the East San Bruno Drill Track of the Southern Pacific Company.

Oakland

The Oakland Wholesale Market bounded on the northwest by Franklin Street, on the northeast by 5th Street, on the southeast by Jackson Street, and on the southwest by 2nd Street.

San Jose

The San Jose Wholesale Market bounded on the northwest by Mission Street, on the northeast by the Southern Pacific Company right-of-way (8th Street), on the southeast by Taylor Street, and on the southwest by 7th Street.

Stockton

The Stockton Wholesale Market bounded on the north by East Channel Street, on the east by an imaginary extension of Locust Avenue, on the south by the Southern Pacific Company right-of-way (an extension of East Weber Avenue), and on the west by North Wilson Way.

Sacramento (16th Street Market)

The Sacramento 16th Street Wholesale Market bounded on the north by North C Street, on the east by North 16th Street, on the south by North B Street, and on the west by the Southern Pacific Company right-of-way (that spur adjacent to and paralleling North 14th Street, an extension of Ahern Avenue).

Sacramento (5th Street Market)

The Sacramento 5th Street Wholesale Market bounded on the north by First Avenue, on the east by 5th Street, on the south by the Southern Pacific Company spur track (from the lead take off commencing near Front Street and Broadway), and on the west by 3rd Street.

Fresno

All points within a radius of one mile of the intersection of Tuolumne Street and G Street.

San Diego

All points within a radius of one-half mile of the intersection of 6th Street and J Street.

| | | |
|-----------------------------|---|--------------------|
| o Change |) | |
| * Addition |) | Decision No. 66226 |
| ** Paragraph (a) eliminated |) | |

EFFECTIVE NOVEMBER 23, 1963

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

Correction No. 360