

ORIGINAL

66586

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 property)
in the City and County of San)
Francisco, and the Counties of)
Alameda, Contra Costa, Lake, Marin,)
Mendocino, Monterey, Napa, San)
Benito, San Mateo, Santa Clara,)
Santa Cruz, Solano and Sonoma.)

Case No. 5441
(Petition for Modification
No. 75)
(Filed October 30, 1963)

OPINION AND ORDER

Minimum Rate Tariff No. 1-B names rates, rules and regulations for the transportation of property by city carriers and highway carriers within and between the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont. By the above-numbered petition, California Trucking Association seeks to amend Item No. 900 which provides special commodity rates for the transportation of freight between docks, piers or wharves on the one hand and warehouses and industries directly served by railroad spur track facilities on the other hand. Petitioner asks that common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in this proceeding, and be authorized to depart from the long- and short-haul provisions of Section 460 of the Public Utilities Code to the extent necessary to carry into effect such modifications.

Petitioner states that although the provisions of the tariff item are rail competitive and are intended to correspond to the railroad carload switching charges, the charges set forth in the minimum rate tariff item have not been changed to reflect recent increases in the railroad switching charges.¹ Petitioner proposes to amend Item No. 900 by making direct reference therein to the tariffs of the rail carriers rather than specifying the competitive charges in the minimum rate tariff item. This form of publication, according to petitioner, would reflect automatically any future changes in the rail competitive charges without the necessity of amending the minimum rate tariff, and would be comparable to the form of publication already established in another minimum rate tariff.²

Petitioner also proposes to delete reference to special charges for accessorial services as set forth in Item No. 900 of Minimum Rate Tariff No. 1-B, and in its stead to substitute and make Item No. 900 subject to the accessorial charges set forth in Item No. 110 of the tariff. Petitioner's proposed changes are set forth specifically in an appendix to the petition.

Copies of the verified petition were mailed to various shipper associations, chambers of commerce and to other interested parties on or about October 29, 1963. No objection to its being granted has been received.

¹ Charges now published in Minimum Rate Tariff No. 1-B are 85 cents per ton subject to a minimum charge of \$18.40 per shipment. Railroad switching charges were increased, effective March 15, 1963, to \$1.02 per ton, minimum charge \$22.08 per shipment.

² City Carriers' Tariff No. 1-A, Item No. 580.

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

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 1-B (Appendix B of Decision No. 6583⁴, as amended) is hereby further amended by incorporating therein, to become effective February 29, 1964, First Revised Page 45 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 such tariff publications shall be made effective not later than February 29, 1964.

3. Common carriers, in establishing and maintaining the rates 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.

4. In all other respects said Decision No. 65834, 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 21st day of January, 1964.

William W. Bennett
President
W. E. ...
W. E. ...
George H. Hoover
Fredrick B. Hallock
Commissioners

Cancels

SECTION NO. 4 - SPECIAL COMMODITY RATES			Item No.
FREIGHT ----- Inhaul and Shipping			
BETWEEN	AND	¢ MINIMUM CHARGE	
Docks, Piers or Wharves	Warehouses and industries directly served by Railroad Spur Track Facilities	The carloading charge on shipments transported from water carriers' docks, piers, or wharves, or car unloading charge on shipments transported to water carriers' docks, piers or wharves, plus Railroad switching rates and car rentals. (See Notes 1 and 2)	
<p>NOTE 1.-(a) Carloading and car unloading charges on shipments transported from or to the docks, piers or wharves operated by Encinal Terminals and Howard Terminal shall be the charges applicable at such docks, piers or wharves as published in Encinal Terminals, Terminal Tariff No. 3, F.M.B. No. 2 and Howard Terminal, Terminal Tariff No. 4 and amendments to and reissues of said publications.</p> <p> (b) Carloading or car unloading at docks, piers or wharves (except as noted in (a) above) shall be at the rates published in the San Francisco Bay Carloaders Tariff Bureau Car Servicing Tariff No. 1-C, F.M.B.T. No. 2 of C. R. Nickerson, Agent, amendments thereto and reissues thereof.</p> <p> (c) Whenever carloading or car unloading charges in the tariffs named in paragraphs (a) and (b) above are based on hourly rates, such rates shall apply for the actual time involved in loading or unloading the motor carrier's equipment subject to the provisions of rules applicable in connection with such hourly rates.</p> <p>*NOTE 2.- Railroad switching rates and railroad car rental rates shall be as published in the tariffs of rail carriers lawfully on file with the Commission, amendments thereto and reissues thereof.</p>			900
¢ Change) * Addition) ¢ Increase)	Decision No.	65686	
EFFECTIVE FEBRUARY 29, 1964			
Issued by the Public Utilities Commission of the State of California, San Francisco, California.			
Correction No. 32			