

**ORIGINAL**

66834

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. 76)  
(Filed October 31, 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. 1000 which provides special hourly vehicle unit rates for the transportation of freight. 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 there is no provision in the tariff item to limit or prohibit the alternative application of rates therein with rates in other items of the tariff. Under the present provisions charges may be based upon either the class or commodity rates or else the hourly vehicle unit rates whichever result in the lower charges. Petitioner alleges that this alternation opens the door to possible destructive competitive practices. Petitioner proposes to amend Item No. 1000 by making the rates applicable only when

a written agreement has been entered into between the shipper and carrier prior to the transportation of the property. Petitioner's proposed changes are set forth specifically in an exhibit appended to the petition, as amended.

Copies of the verified petition were mailed to various shipper associations, chambers of commerce and other interested parties on or about October 30, 1963. No objection to its being granted has been received.

It appears that petitioner's proposal will result in further stabilizing the rate structure by eliminating practices that lend themselves to uncertainty in applying the minimum rates for the transportation involved. 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 of commodities subject to the hourly vehicle unit rate provisions of Minimum Rate Tariff No. 1-B. 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 March 21, 1964, First Revised Page 47 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 March 21, 1964.

3. 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.

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 18<sup>th</sup> day of February, 1964.

William W. Burnett  
President  
George L. Mitchell  
Robert C. [unclear]  
Frederick B. Hallock

Commissioners

I dissent.  
George L. Grover

SECTION NO. 5 - HOURLY TRUCK RATES		Item No.
HOURLY VEHICLE UNIT RATES, including Driver and All Other Operating Expenses: ☐ Vehicles, N.O.S. (Subject to *Notes 1, 2 and 3) Capacity of Carrier's Equipment in Pounds:		
Over 2,500 or less -----		800
" 2,500 but not over 4,500 -----		825
" 4,500 " " " 10,500 -----		850
" 10,500 " " " 20,500 -----		950
" 20,500 " " " 30,000 -----		1000
" 30,000 pounds -----		1050
Minimum charge 1 hour.		☐1000
<p>*NOTE 1.-Rates in this item apply only when prior to transportation of the property shipper enters into a written agreement with the carrier to the effect that shipment is to be transported under the provisions of Item No. 1000 of Minimum Rate Tariff No. 1-B. When such an agreement is executed, rates otherwise provided in this tariff will not apply.</p> <p>*NOTE 2.-Rates named herein apply during regular working hours and include the services of the driver only. For charges for service at other than regular working hours, see Item No. 110. When at the request of the shipper carrier furnishes help in addition to the driver, an additional charge shall be made as set forth in paragraph (b) of Item No. 110.</p> <p>☐NOTE 3.-Time for hourly rates shall be computed from the time the vehicle leaves carrier's place of business until it arrives back at said place of business.</p>		
☐ Change ) * Addition ) Decision No. 66834 ◊ Increase )		
EFFECTIVE MARCH 21, 1964		
Issued by the Public Utilities Commission of the State of California, San Francisco, California.		
Correction No. 33		