

Decision No. 70359**ORIGINAL**

## 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 any and all commodities between and within all points and places in the State of California (including, but not limited to, transportation for which rates are provided in Minimum Rate Tariff No. 2).

Case No. 5432  
(Petition for Modification  
No. 395)  
Filed September 13, 1965

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. 96)  
Filed September 13, 1965)

Arlo D. Poe, J. C. Kaspar and H. F. Kollmyer,  
for California Trucking Association,  
petitioner.

C. R. Nevins, for Manufacturers Distribution  
Terminal, respondent.

Eugene A. Read and John T. Reed, for California  
Manufacturers Association; Russell Bevans,  
for Draymen's Association of San Francisco,  
Inc.; G. A. Rodgers, for Union Carbide  
Corporation; interested parties.

Henry E. Frank and R. J. Carberry, for the  
Commission staff.

O P I N I O N

Minimum Rate Tariff No. 2 names rates and charges applicable to the unloading or segregating of pool car shipments at a number of named cities in the vicinity of San Francisco and Oakland. These rates and charges are identical to those named in

City Carriers' Tariff No. 1-A (San Francisco) and Minimum Rate Tariff No. 1-B (East Bay drayage area). By these petitions the California Trucking Association seeks to have the application of these rates and charges extended to embrace all points within the Central Coastal Territory.<sup>1/</sup>

Public hearing was held on December 8, 1965, at San Francisco before Examiner Turpen. The director of petitioner's division of transportation economics testified in support of the proposal. Representatives of the California Manufacturers Association and of the Commission's staff assisted in developing the record.

The provisions in Minimum Rate Tariff No. 2 governing pool car shipments were established by Decision No. 47775 (52 Cal. P.U.C. 57), dated September 30, 1952. According to that decision, in the absence of pool shipment rates and rules applying at points in the vicinity of the two drayage areas pool shipments were being consigned to nearby points for trans-shipment to and distribution within the drayage areas at less than the charges established for pool shipments consigned to the drayage areas. To correct this situation rates and charges identical to those in the two drayage tariffs were made applicable at named points in the vicinity of the two drayage areas.

Petitioner's witness testified that a similar situation has again developed in that cars are being unloaded at points

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<sup>1/</sup> The Central Coastal Territory consists of 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.

other than those now named, thus avoiding the minimum rates. He said that the proposed enlargement of the area will provide for continuation of the integrity of presently established pool shipment rates in the Central Coastal Territory, and will minimize the opportunity for shippers from other states to obtain distribution within the State at transportation costs detrimental to California manufacturers and distributors. The witness also testified that a survey of the circumstances surrounding the handling of pool shipments in the presently described area, as compared to circumstances applicable to the proposed area, had been made and the results related to the basis of the present charges. He said that the cost circumstances are substantially identical, and the use of present rates is appropriate.

It appears, and the Commission finds, that the extension of application of the pool car rates as proposed is necessary to protect the integrity of the minimum rate structure and will result in reasonable minimum rates and charges in the area involved. We also find that any increases in rates and charges applicable in the extended area are justified. We conclude that the petitions should be granted. However, for clarity, minor changes in the language proposed in the petitions will be made.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 (Appendix D of Decision No. 31606, as amended) is further amended by incorporating therein, to become effective March 26, 1966, Third Revised Page 21-A, 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 March 26, 1966.

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. 31606, 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 15<sup>th</sup> day of FEBRUARY, 1966.

Frederick B. Hallock  
President  
George T. Crowe  
Augustine  
William W. Brindley

Commissioners

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

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
175	<p style="text-align: center;">STRINGING SERVICES</p> <p>When the service of stringing (distribution in transit along a line) is performed in connection with the transportation of pipe and culvert, fencing, posts and poles, for which the class or commodity rates provided in this tariff are applicable, the class or commodity rates shall be applied to the point at which the stringing service is commenced. In addition thereto, hourly rates provided in Item No. 720 shall be assessed for the time consumed in performing the stringing service, less five minutes per ton for wooden poles and posts, and less ten minutes per ton for other commodities.</p>
<p>∅∅</p> <p>176</p>	<p style="text-align: center;">∅ POOL SHIPMENTS</p> <p style="text-align: center;">(Items Nos. 176, 177 and 179)</p> <p>Pool shipments unloaded and/or segregated within the Central Coastal Territory, as described in Item No. 270, shall be subject to rates and charges named in Items Nos. 177 and 179 (see Exceptions 1, 2 and 3).</p> <p>EXCEPTION 1.--Does not apply to pool shipments unloaded and/or segregated at San Francisco when component parts are for delivery at San Francisco (see City Carriers' Tariff No. 1-A for rates and charges).</p> <p>EXCEPTION 2.--Does not apply to pool shipments unloaded and/or segregated at Alameda, Albany, Berkeley, Emeryville, Oakland or Piedmont when component parts are for delivery at Alameda, Albany, Berkeley, Emeryville, Oakland or Piedmont (see Minimum Rate Tariff No. 1-B for rates and charges).</p> <p>EXCEPTION 3.--Charges apply only to the component part or parts that the carrier unloads and/or segregates within the territory named in this item.</p> <p style="text-align: center;">(Continued in Item No. 177)</p>
<p>∅ Change )          ∅ Increase ) Decision No. 70359          ∅ Reduction )</p>	
EFFECTIVE MARCH 26, 1966	
<p>Issued by the Public Utilities Commission of the State of California,          San Francisco, California.          Correction No. 1685</p>	