

Decision No. 75477

**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. 532)  
(Filed February 5, 1969)

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. 157)  
(Filed February 5, 1969)

O P I N I O N

Walkup's Merchants Express, a corporation, hereinafter called petitioner operates throughout the state as a highway common carrier, pursuant to a certificate of public convenience and necessity issued by this Commission in Decision No. 63984 in Application No. 44177.

By Decision No. 74919 dated November 7, 1968 in Application No. 50578 and Petitions for Modification Nos. 515 and 150, in Cases Nos. 5432 and 5441, respectively, petitioner was authorized to publish rates less than those established as minimum for the transportation of flour in bulk within and between certain points in the San Francisco Bay Area. Said authority is scheduled to expire March 31, 1969.

By these petitions, petitioner seeks an extension of the current authority at rates increased by one-half cent and one cent per 100 pounds.

Petitioner alleges that the circumstances set forth in the petitions which led to the issuance of Decision No. 74919 continue to exist at the present time, except that increased labor costs require that the authorized rates be modified as proposed herein. Petitioner states that it believes that the rates proposed herein will be sufficient as minimum rates for application to this traffic up to and including March 31, 1970.

Revenue and expense data submitted by petitioner indicate that the transportation involved has been profitable and reasonably may be expected to be profitable during the specified period.

Copies of the verified petitions were mailed to California Trucking Association, Inc. and Draymen's Association of San Francisco, Inc. The petitions were listed on the Commission's Daily Calendar of February 6, 1969. No objection to the granting of the petitions has been received.

In the circumstances, it appears and the Commission finds, that the proposed rates are reasonable and justified. A public hearing is not necessary. The Commission concludes that the petitions should be granted as set forth in the following order.

In view of the impending expiration date of the current authority, the order which follows will be made effective March 26, 1969.

O R D E R

IT IS ORDERED that:

1. Walkup's Merchant Express, a corporation, is hereby authorized to publish and file, to expire with March 31, 1970, rates for the

C. 5432, Pet. 532 et al Mjo

transportation of flour, in bulk, between the points and subject to the conditions specifically set forth in Appendix A, attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and to the public.

The effective date of this order shall be March 26, 1969.

Dated at San Francisco, California, this 21<sup>st</sup>  
day of MARCH, 1969.

William Symons  
President

Augustin

W. H. H. H. H.

Commissioners

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.

C. 5432, Pet. 532  
C. 5441, Pet. 157 hjh

APPENDIX A  
Page 1 of 4

WALKUP'S MERCHANTS EXPRESS

Commodity:

Flour, edible, in bulk, when transported in pneumatic  
air slide semitrailers, self contained to discharge flour  
by pumping.

Authorized rates (in cents per 100 pounds):

A. Rates lower than minimum rates otherwise prescribed  
but not less than the following rates applicable between  
points and places:

1. Within the City and County of San Francisco  
(as defined in Minimum Rate Tariff 19); or

2. Within and between the cities of Alameda,  
Albany, Berkeley, Emeryville, Oakland, Piedmont (as defined  
in Minimum Rate Tariff No. 1-B).

Rates subject to Notes 1 through 10.

<u>Actual Miles</u>	<u>Rates in cents per 100 lbs.* Minimum Weight 40,000 lbs. per shipment</u>
0 - 3	9.5
3 - 5	10.0
5 - 10	10.5

\*All rates are subject to Notes 1 through 10 and  
are not subject to the Bay Counties surcharges.

C. 5432, Pet. 532  
C. 5441, Pet. 157 hjh

APPENDIX A  
Page 2 of 4

B. Rates lower than minimum rates otherwise prescribed but not less than the following rates applicable from San Francisco, Oakland or Vallejo, on the one hand, to destination points beyond the areas described in Paragraph A hereof, but not exceeding 60 constructive miles from the respective points of origin, on the other hand. Mileages to be computed in accordance with the Commission's Distance Table No. 5, supplements thereto or successive issues thereof.

<u>Constructive Miles</u>	<u>Rates in cents per 100 pounds*</u> <u>San Francisco, Oakland or Vallejo</u> <u>Minimum Wgt. 40,000 lbs. per shipment</u>	
0 - 10		11.5
10 - 15		12.0
15 - 20		12.5
20 - 25		13.0
25 - 30		14.0
30 - 35		14.5
35 - 40		15.0
40 - 45		17.0
45 - 50		18.0
50 - 60		19.0

\*All rates are subject to Notes 1 through 10, and are not subject to the Bay Counties surcharges.

C. 5432, Pet. 532  
C. 5441, Pet. 157 hjh

APPENDIX A  
Page 3 of 4

- Note 1 - Rail Car Service - An additional charge of 4.0 cents per 100 pounds for unloading from rail car. Add an additional .5 cents (total 4.5 cents) if Walkup's Merchants Express furnishes electrical power at designated team track.
- Note 2 - Weighing Service - Add \$5.50 per trailer load for weighing service requested on any bulk flour haul.
- Note 3 - Rate Computation - When charges accruing on a shipment based on actual weight exceed the charges computed on a rate based on a greater minimum, the latter shall apply.
- Note 4 - Demurrage - If, through no fault of the carrier, delivery cannot be accomplished and the trailer is put out of service without driver in attendance, after the first two hours the added charge will be as follows: \$2.50 per hour for the next consecutive 24-hour period; \$9.50 per hour thereafter. If a driver remains in attendance, a charge of \$15.75 per hour will be assessed.
- Note 5 - Returns - If flour is tendered to consignee, refused, returned to mill or car for unloading, a charge of one and one-half times normal applicable rate will be made.
- Note 6 - Special Setup - Add 4.0 cents per 100 pounds when delivery is made to a bakery not equipped for truck delivery (220 three-phase power and reasonable access).
- Note 7 - Service at Other than Regular Hours - Charges for service on Saturdays, Sundays, or holidays, or charges for service requested on week days at hours other than between 8 A.M. and 5 P.M., shall be those charges applicable to the move plus the additional cost to the carrier for supplying labor at the above-mentioned times.
- Note 8 - Loading Time - An additional charge of \$7.50 shall be assessed for each 30-minute period or fraction thereof after the first 15 minutes of free time.
- Note 9 - Payment of Freight Charges - Rates apply only when service is performed for the account of the consignor and consignor undertakes to pay freight charges.

C. 5432, Pet. 532  
C. 5441, Pet. 157 hjh

APPENDIX A  
Page 4 of 4

Note 10 - Multiple Load Shipments - Minimum Charge - When a single shipment is tendered which requires transportation in multiple truckloads and the total weight of such shipment is not divisible by a minimum of 40,000 pounds or a maximum of 42,000 pounds, then a charge will be assessed for the movement of the last truckload based upon the applicable rate applied to a minimum weight of 40,000 pounds, regardless of the actual weight of the last load.

Note 11 - Bridge Tolls - When a shipment is destined between points requiring movement over the Carquinez Bridge or the San Francisco-Oakland Bay Bridge, an additional charge shall be assessed as follows:

Carquinez Bridge	\$2.00
San Francisco-Oakland Bay Bridge	2.75