

ORIGINAL

Decision No. 77729

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. 598;
Filed August 17, 1970)

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. 204;
Filed August 17, 1970)

O P I N I O N

By Decision No. 76862, dated March 3, 1970, in Petitions for Modification Nos. 573 and 186, in Cases Nos. 5432 and 5441, respectively, Alltrans Express California, Inc., a corporation, was authorized to publish rates less than those established as minimum for the transportation of flour in bulk between certain points in the San Francisco Bay Area.^{1/} Said authority is scheduled to expire September 30, 1970. By the above petitions, Alltrans Express California, Inc., a corporation, doing business as Walkup's Merchants Express (hereinafter called petitioner) seeks to extend the current authority through June 30, 1971.

^{1/} Decision No. 76987, dated March 24, 1970, clarified the application of the authorized rates.

Petitioner proposes separate scales of rates to apply for two different periods. These periods are as follows: (1) From the effective date of the order granting these petitions through December 31, 1970; and (2) for the period January 1, 1971, through June 30, 1971. The petition alleges that said dates are the dates on which petitioner will incur labor cost increases as a result of its current labor contracts. Assertedly, the different levels of rates proposed herein reflect said labor cost changes.

Attached as Exhibit A to the petitions is a complete statement of the rates and charges sought herein. Exhibit B to the petitions contains the most recent available balance sheet and income statement of petitioner.

Exhibit C to the petition is a cost study in support of the two scales of rates proposed herein. Said studies indicate that the services to be performed will be compensatory at the increased levels of rates proposed in the petitions herein.

In addition to the proposed changes in rate levels, petitioner also proposes changes in accessorial charges amounting to six percent for all services except for an increase in the charge for unloading rail cars from 4 cents to 5-1/2 cents per 100 pounds. Assertedly, the latter increase is necessary because of increased labor cost and because the prior charge was not compensatory.

Copies of the petitions were served on the California Trucking Association and the Draymen's Association of San Francisco, Inc. Notice of the filing of the petitions appeared on the Commission's Daily Calendar of August 18, 1970. There are no protests.

The Commission finds that the proposed rates will be reasonable and are justified by transportation conditions. A public hearing is not necessary. The petitions should be granted.

ORDER

IT IS ORDERED that:

1. Alltrans Express California, Inc., a corporation, doing business as Walkup's Merchants Express, is authorized to publish and file, to expire June 30, 1971, rates and charges for the 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 the public.

The effective date of this order shall be September 22, 1970.

Dated at Los Angeles, California, this 15th day of SEPTEMBER, 1970.

[Signature]
Chairman

[Signature]

[Signature]
Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

-3- Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A
Page 1 of 4

ALLTRANS EXPRESS CALIFORNIA, INC.

dba

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.

Actual Miles	Rates in cents per 100 pounds * Minimum Weight 40,000 pounds per shipment	
	Col. A	Col. B
0 - 3	10.0	10.6
3 - 5	10.6	11.2
5 - 10	11.1	11.8

* All rates are subject to Notes 1 through 10.

Column A rates effective as provided by ordering paragraph 2 of the order herein.

Column B rates effective January 1, 1971.

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. 7, supplements thereto or successive issues thereof.

<u>Constructive Miles</u>	Rates in cents per 100 pounds * San Francisco, Oakland or Vallejo Minimum Wgt. 40,000 pounds per shipment	
	<u>Col. A</u>	<u>Col. B</u>
	0 - 10	12.2
10 - 15	12.7	13.5
15 - 20	13.3	14.1
20 - 25	13.9	14.7
25 - 30	14.8	15.7
30 - 35	15.4	16.3
35 - 40	17.0	18.0
40 - 45	18.0	19.1
45 - 50	19.1	20.2
50 - 60	20.1	21.3

* All rates are subject to Notes 1 through 10.

Column A rates effective as provided by ordering paragraph 2 of the order herein.

Column B rates effective January 1, 1971.

APPENDIX A
Page 3 of 4

- Note 1 - Rail Car Service - An additional charge of 5.5 cents per 100 pounds for unloading from rail car and providing electrical power at designated team track; and an additional charge of \$9.40 per rail car for connecting and disconnecting air-slide attachment to the rail car.
- Note 2 - Weighing Service - Add \$5.83 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 \$16.70 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 - 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 7 - Loading Time - An additional charge of \$8.35 per hour shall be assessed after the first 15 minutes of free time.
- Note 8 - Payment of Freight Charges - Rates apply only when service is performed for the account of the consignor and consignor undertakes to pay freight charges.
- Note 9 - 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.

APPENDIX A
Page 4 of 4

Note 10 - 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