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Decision No. 82949

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
ADAMS DELIVERY SERVICE, INC., a  
California corporation, for authority  
to deviate from the provisions of  
Minimum Rate Tariff Number 2 in  
connection with transportation of  
parcels.

Application No. 54758  
(Filed March 26, 1974)

O P I N I O N

Adams Delivery Service, Inc. holds permits as a radial highway common carrier and a highway contract carrier. The radial highway common carrier permit was transferred from Franklin J. Blichfeldt, doing business as Clark Delivery Service. The highway contract carrier permit was transferred from Ralph M. Adams, doing business as Adams Delivery Service. The transfer of both permits was effective March 26, 1974.

By Decision No. 82554 dated March 12, 1974 in Application No. 53854, Ralph M. Adams, doing business as Adams Delivery Service, was granted authority to deviate from the provisions of Minimum Rate Tariff 2 for the transportation of parcels weighing 100 pounds or less between points within Alameda and Contra Costa Counties.

Applicant here seeks authority identical to that granted by Decision No. 82554 with the following exception:

Decision No. 82554 authorizes a charge of \$1.52 per parcel, plus \$.045 per pound in excess of 25 pounds. Applicant proposes a charge of \$1.52 per parcel plus \$.05 per pound in excess of 20 pounds.

There are no protests.

The application states that during the pendency of the former deviation application (Application No. 53854) of Ralph M. Adams, doing business as Adams Delivery Service, the health condition of Ralph M. Adams deteriorated so that he was forced to arrange to transfer his business to allow continued service to the public. He transferred his highway contract carrier permit, the name Adams Delivery Service, and all of the existing parcel business to Franklin J. Blichfeldt who incorporated as Adams Delivery Service, Inc.

The circumstances surrounding the transportation are set forth in Decision No. 82554 and need not be repeated.

We find that the proposed rates are reasonable and conclude that the application should be granted. The order which follows will provide for cancellation of the authority granted by Decision No. 82554.

O R D E R

IT IS ORDERED that:

1. Adams Delivery Service, Inc. is authorized to transport shipments weighing 100 pounds or less at the rates and subject to the conditions set forth in Appendix A of this decision.
2. The authority granted herein shall expire December 31, 1974 unless sooner canceled, modified, or extended.

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3. The authority granted by Decision No. 82554 dated March 12, 1974 in Application No. 53854 is cancelled.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 5th day  
of JUNE, 1974.

Vernon L. Stinson  
President  
William L. Symon  
William L. Symon  
William L. Symon  
William L. Symon  
Commissioners

APPENDIX A  
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ADAMS DELIVERY SERVICE, INC.

Adams Delivery Service, Inc. is authorized to enter into agreements with shippers to provide wholesale parcel delivery service for parcels weighing 100 pounds or less, as follows:

Territory

Between points and places within Alameda County and Contra Costa County.

Rate

\$1.52 per parcel, plus \$.05 per pound in excess of 20 pounds, plus \$.50 for each pickup stop at a consignor's place of business.

Said rate will contemplate delivery on the day of pickup.

Rules and Restrictions

1. No package weighing in excess of 100 pounds nor measuring more than 160 inches (length and girth combined) will be accepted for delivery. A maximum weight of 100 pounds destined for a single consignee will be picked up at any one time.
2. Shipper will pay all charges.
3. Carrier will make pickups only on weekdays - Monday through Friday; no Saturday, Sunday, or holiday pickups will be made.
4. Carrier will be liable to shipper for loss of or damage to packages of merchandise entrusted to it for delivery in the amount of 80 percent of the selling price thereof, but not to exceed \$100 for any one package, such limitations to be effective whether or not such loss or damage has been due to the negligence of the delivery service.
5. An additional charge of \$.50 will be assessed for each C.O.D. collection.

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Rules and Restrictions - (contd.)

6. Carrier will accept checks tendered by consignee for C.O.D. packages, unless shipper gives written instructions on C.O.D. delivery address tag and on C.O.D. manifest to collect cash only. Carrier will not assume responsibility for validity of checks tendered in payment of C.O.D. collections. If the carrier fails to collect any C.O.D. and such failure is not reported by the consignor to the carrier within 15 days after receipt by the delivery company of the package bearing such C.O.D., the consignor shall be deemed to have waived its right to hold the delivery company responsible for such failure.
7. The return of a package, which for any reason is returned to the consignor, after once having been delivered to the correct address will be charged for at the same rate as charged for the original delivery thereof, provided the order to return the package is given the carrier by, and the charges are paid by, the original consignor, or his agent.
8. The rate herein will not apply to any shipment with an origin and destination wholly within a single city, or any shipment covered by the provisions of Item No. 840 or Item No. 850 of Minimum Rate Tariff 1-B.
9. The rate herein will apply only to wholesale parcel delivery service. Wholesale parcel delivery service means the transportation of packages and parcels moving between wholesalers, jobbers, dealers, distributors, industries, retail stores, offices, commercial houses, schools, hospitals, clubs, governmental agencies, and institutions.