

ORIGINAL

Decision No. 85216

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 depart from the provisions of
Minimum Rate Tariff 2.

Application No. 55645
(Filed April 22, 1975;
amended July 25, 1975)

Edward J. Marnell, Randy Marnell, and Frank
J. Blichfeldt, for applicant.
Ronald C. Broberg and H. W. Hughes, for California
Trucking Association, interested party.
Harry E. Cush, for the Commission staff.

O P I N I O N

Adams Delivery Service, Inc. holds permits as a radial highway common carrier and a highway contract carrier.

Applicant seeks authority to depart from the minimum rates, rules, and regulations set forth in Minimum Rate Tariff 2 (MRT 2) in connection with the transportation of parcels weighing 100 pounds or less. The sought authority is nearly identical to that currently authorized applicant by Decision No. 83236 (since extended by resolution under SDD 307) except to the extent that any service performed by applicant in connection with a proposed new "unitized" parcel concept may require the assessment of pool shipment charges in MRT 2. Accordingly, applicant seeks authority to generally apply the provisions authorized in Decision No. 83236, to include pool shipment services.

Public hearing was held before Examiner O'Leary at San Francisco on October 17, 1975 at which time the matter was submitted. CTA took no position.

The "unitized" parcel service involves a concept whereby shippers, generally located in the Los Angeles Basin area, would group a number of parcels or packages together in units; tender them to highway carriers not affiliated with applicant as a single shipment for transportation to applicant's Hayward facilities; where, upon arrival, applicant would sort the individual parcels into appropriate parcel delivery vehicles for transportation to their ultimate destination; the charge would be applicant's proposed rates for this type of service.

The shipment from the Los Angeles Basin area weighs between 1,000 to 2,000 pounds. Each package in the shipment averages approximately 15 pounds and contains drugs and sundries. Each package is labeled as to consignee. A bill of lading showing the number of packages destined to each consignee and the weight of each package is prepared by the shipper. The shipper is billed by applicant for the package deliveries from its facility in Hayward. The charge for the shipment from the Los Angeles Basin area to applicant's terminal is billed by the line-haul carrier to the shipper.

Applicant amended its application by submitting a higher scale of rates than those set forth in the application. The amended rates are set forth in Exhibit 1.

The transportation for which applicant here seeks exemption are pool shipments as defined in MRT 2, Item 11 as follows:

POOL SHIPMENT means a shipment consisting of component parts which are for reshipment to two or more points of destination, such shipment being consigned to:

1. A carrier with instructions for unloading, distribution and delivery of one or more component parts to consignees, their agents, or to other carriers; or
2. A consignee (other than a carrier) in connection with which pool shipment a carrier is instructed to unload, distribute and deliver one or more component parts to the consignee, subconsignees, their agents or to other carriers.

The term "delivery" as used in this definition means relinquishing the property to the consignee, his agent, or another carrier entitled to receive such property, whether at the point of distribution or elsewhere.

Items 176 to 179 inclusive of MRT 2 set forth minimum rates to be assessed by carriers for services, performed in handling pool shipments, such as unloading and/or segregation, billing, marking, labeling, etc. These rates are in addition to the rates applicable to the transportation. These rates are designed to apply primarily to rail carload pool shipments and were never intended to apply to the less truckload pool shipment service performed by applicant and, therefore, are not reasonable minimum rates for the service which is the subject of this application.

With respect to the transportation of parcels weighing 100 pounds or less the Commission has previously found that the minimum rates in MRT 2 are not the minimum reasonable rates for the service performed.

The Commission finds that:

1. The rates, rules, and charges named in MRT 2 are not appropriate, reasonable, or proper for the service which is the subject of this proceeding.
2. The sought authority has been shown to be justified.

The Commission concludes that Application No. 55645 should be granted to the extent set forth in the ensuing order.

O R D E R

IT IS ORDERED that:


1. Adams Delivery Service, Inc. is authorized to transport packages weighing 100 pounds or less at rates less than and different from the otherwise governing minimum rates to the extent and in the manner set forth in Appendix A attached hereto and by this reference made a part hereof.

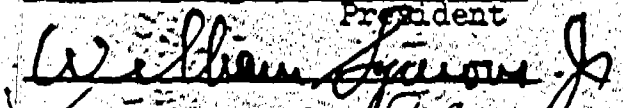
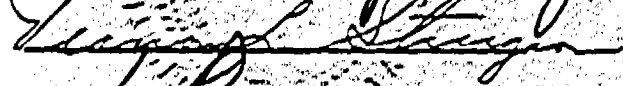
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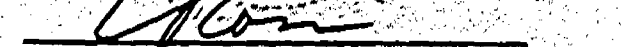
2. The authority granted herein shall expire December 31, 1976 unless sooner canceled, modified, or extended by order of the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 7th day of DECEMBER, 1975.



President





Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

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Adams Delivery Service, Inc.
A California Corporation

Application

1. The rates set forth herein are applicable only to the transportation of drugs and sundries in shipments weighing 100 pounds or less between points set forth herein. No shipment may contain more than one package or piece.
2. The rates set forth herein apply only from the terminal of Adams Delivery Service, Inc., Hayward, as proportional rates in connection with the transportation of packages having had an immediate prior movement by highway carrier as part of a unitized shipment weighing not more than 2,500 pounds, containing not less than 50 individual packages for subsequent reshipment by Adams Delivery Service, Inc.
3. The provisions hereof will not apply when Adams Delivery Service, Inc. provides pickup service in connection with any shipment or package transported.

Rules

1. The rates herein apply only when the released value or declared value is 50 cents per pound or less, and the maximum value per package or article is \$100 or less.
2. Except that the provisions of Items 176 through 179 will not apply, and except as provided herein, shipments transported under the rates herein are subject to all provisions of Minimum Rate Tariff 2.
3. The rates herein do not apply to same-day service. As used herein the term "same-day service" means that no individual package or shipment can be delivered on the same day that it is picked up by any highway carrier as part of the unitized shipment.
4. An additional charge of 85 cents will be assessed for each C.O.D. shipment received for collection.
5. If the carrier is unable to deliver any shipment because of incorrect address, shipper will be assessed a charge of 85 cents for either the subsequent delivery or carrier's attempt to deliver to correct address.
6. All charges must be paid by the shipper.

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Rate Schedule

Rates in Dollars Per Package

<u>Pounds</u>	<u>Zone 1</u>	<u>Zone 2</u>	<u>Pounds</u>	<u>Zone 1</u>	<u>Zone 2</u>
1-10	.95	1.05	55	3.03	3.58
11	1.00	1.11	56	3.07	3.63
12	1.04	1.15	57	3.12	3.69
13	1.09	1.22	58	3.16	3.74
14	1.13	1.27	59	3.21	3.80
15	1.18	1.33	60	3.25	3.85
16	1.22	1.38	61	3.30	3.91
17	1.27	1.44	62	3.34	3.96
18	1.31	1.49	63	3.39	4.02
19	1.36	1.55	64	3.43	4.07
20	1.40	1.60	65	3.48	4.13
21	1.45	1.66	66	3.52	4.18
22	1.49	1.71	67	3.57	4.24
23	1.54	1.77	68	3.61	4.29
24	1.58	1.82	69	3.66	4.35
25	1.63	1.88	70	4.05	4.40
26	1.67	1.93	71	4.10	4.46
27	1.72	1.99	72	4.15	4.51
28	1.76	2.04	73	4.20	4.57
29	1.81	2.10	74	4.25	4.62
30	1.85	2.15	75	4.30	4.68
31	1.90	2.21	76	4.35	4.73
32	1.94	2.26	77	4.40	4.79
33	1.99	2.32	78	4.45	4.84
34	2.03	2.37	79	4.50	4.90
35	2.08	2.43	80	4.55	4.95
36	2.12	2.48	81	4.60	5.01
37	2.17	2.54	82	4.65	5.06
38	2.21	2.59	83	4.70	5.12
39	2.26	2.65	84	4.75	5.17
40	2.30	2.70	85	4.80	5.23
41	2.35	2.76	86	4.85	5.28
42	2.39	2.81	87	4.90	5.34
43	2.44	2.87	88	4.95	5.39
44	2.48	2.92	89	5.00	5.45
45	2.53	2.98	90	5.05	5.50
46	2.57	3.03	91	5.10	5.56
47	2.62	3.09	92	5.15	5.61
48	2.66	3.14	93	5.20	5.67
49	2.71	3.20	94	5.25	5.72
50	2.75	3.25	95	5.30	5.78
51	2.85	3.36	96	5.35	5.83
52	2.89	3.41	97	5.40	5.89
53	2.94	3.47	98	5.45	5.94
54	2.98	3.52	99	5.50	6.00
			100	5.55	6.05

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Zone Schedule

<u>Zone</u>	<u>City</u>	<u>Zone</u>	<u>City</u>
2	Acampe	2	Broderick
2	Aerojet	2	Bryte
1	Agnew	1	Burlingame
2	Agua Caliente	2	Calistoga
1	Alameda	2	Califa
2	Alamo	2	Calwa
1	Albany	1	Cambrian Park
2	Altaville	1	Campbell
1	Alvarado	2	Camp Evers
1	Alviso	2	Camp Park
2	Angels Camp	2	Capitola
2	Antioch	2	Carmel
2	Aptos	2	Carmichael
2	Arbuckle	2	Castle Air Force Base
2	Armona	1	Castro Valley
1	Ashland	2	Castroville
2	Asilomar	1	Centerville (Alameda)
1	Atherton	2	Ceres
2	Athlone	2	Chico
2	Atwater	2	Citrus Heights
2	Avon	2	Clayton (Contra Costa)
1	Bayshore	2	Clements
2	Beale Air Force Base	2	Clovis
1	Belmont	1	Colma
2	Belvedere	2	Colusa
2	Benicia	2	Concord
2	Ben Lomond	2	Copperopolis
2	Berenda	2	Cordelia
1	Berkeley	2	Corning
2	Boyes Hot Springs	2	Corte Madera
2	Brentwood	2	Cotati
1	Brisbane	2	Cottonwood

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<u>Zone</u>	<u>City</u>	<u>Zone</u>	<u>City</u>
2	Courtland	2	Foothill Farms
2	Coyote	2	Forestville
2	Crockett	2	Fort Ord
1	Cupertino	1	Foster City
2	Cunningham	2	Franklin
1	Daly City	2	Freedom
2	Danville	1	Fremont
2	Davis	2	French Camp
1	Decoto	2	Fresno
2	Del Paso Heights	2	Fulton
2	Del Rey	2	Galt
2	Diablo	2	Gilroy
2	Dixon	2	Glen Allen
2	Dublin	2	Grass Valley
1	El Cerrito	2	Graton
2	El Dorado Hills	2	Greenbrae
2	Eldridge	2	Gridley
2	El Granada	2	Half Moon Bay
2	Elk Grove	2	Hamilton Field
2	El Macero	1	Hayward
2	El Nido	2	Healdsburg
2	El Sobrante	2	Hercules
2	El Verano	2	Herndon
2	Elverta	2	Highway City
1	Emeryville	1	Hillsborough
2	Escalon	1	Hillsdale (San Mateo)
1	Evergreen	1	Hillsdale (Contra Costa)
2	Exeter	2	Hollister
2	Fairfax	2	Ione
2	Fairfield	1	Irrington
2	Fairmead	2	Isleton
2	Fair Oaks	2	Jackson
2	Farmersville	2	Jamestown
2	Farmington	1	Kensington
2	Felton	2	Kentfield
2	Fetters Hot Springs	2	Kenwood
2	Five Points	2	Keys
2	Florin	2	Kingsburg
2	Folsom	2	Knights Landing
2	Folsom Prison		
2	Fontana		

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<u>Zone</u>	<u>City</u>	<u>Zone</u>	<u>City</u>
2	Lafayette	2	Napa
2	Larkspur	2	Naval Weapons Station (Concord)
2	Lemoore	2	Nevada City
2	Lincoln	1	Newark
1	Linda Vista (Santa Clara)	2	Nicolaus
2	Lindsay	2	Nichols
2	Lingard	1	Niles
2	Livermore	2	Nimbus
2	Livingston	2	Norden
2	Lockeford	2	North Highlands
2	Lodi	2	North Sacramento
2	Loomis	2	Novato
1	Los Altos	2	Oakdale
2	Los Gatos	2	Oakland
2	Madera	1	Oakley
2	Madera Air Force Base	2	Olivehurst
2	Malaga	2	Orangevale
2	Manteca	2	Orinda
2	Mare Island	2	Orland
2	Marina	2	Oroville
2	Marin City	2	Pacheco
2	Marinwood	2	Pacifica
2	Martinez	2	Pacific Grove
2	Marysville	2	Palo Alto
2	Mather Field	1	Paradise
2	McClelland Field	2	Parlier
1	Menlo Park	2	Parks Air Force Base
2	Midway City	2	Parkway Estates
1	Millbrae	2	Pebble Beach
2	Mill Valley	2	Penngrove
1	Milpitas	2	Petaluma
2	Minturn	2	Piedmont
2	Miramar (San Mateo)	2	Pinedale
1	Mission San Jose	2	Pinole
2	Modesto	2	Pittsburg
1	Moffett Field	2	Placerville
2	Montara	2	Pleasant Hill
2	Monterey	2	Pleasant Grove
1	Monte Sereno	2	Pleasanton
2	Moraga	1	Point Richmond
2	Moss Beach	2	Port Chicago
2	Moss Landing	2	Porterville
1	Mountain View (Santa Clara)		
2	Morgan Hill		

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<u>Zone</u>	<u>City</u>	<u>Zone</u>	<u>City</u>
1	Presidio	2	Scotts Valley
1	Portola Valley	2	Seaside
2	Prunedale	2	Sebastopol
2	Rancho Cordova	2	Selma
1	Redwood City	2	Sheridan
2	Represa	2	Shingle Springs
2	Rheem Valley	2	Silver Lake
1	Richmond	2	Sloughhouse
2	Rio Linda	2	Sonoma
2	Rio Vista	2	Sonora
2	Ripon	2	Soquel
2	Riverbank	1	South San Francisco
2	Rocklin	1	Stanford University
2	Rodeo	2	Stockton
2	Rohnert Park	2	Strathmore
2	Roseville	2	Suisun City
2	Ross	1	Sunnyvale
2	Sacramento	2	Sunol
2	St. Marys College	2	Sutter Creek
2	Salida	2	Terra Linda
2	Salinas	2	Tiburon
2	San Andreas	2	Tracy
2	San Anselmo	2	Travis Air Force Base
1	San Bruno	1	Treasure Island
1	San Carlos (San Mateo)	2	Turlock
1	San Francisco	1	Union City
1	San Francisco	2	Vacaville
	International Airport	2	Vallejo
2	Sanger	2	Valley of the Moon
1	San Jose	2	Walnut Creek
2	San Juan Bautista	2	Walnut Grove
1	San Leandro	2	Watsonville
1	San Lorenzo	2	West Sacramento
2	San Martin	2	Wheatland
1	San Mateo	2	Williams
2	San Pablo	2	Willows
2	San Quentin	2	Windsor
2	San Rafael	2	Winton
2	San Ramon	2	Woodland
2	San Ramon Village	2	Woodside
1	Santa Clara	1	Yerba Buena Island
2	Santa Cruz	2	Yuba City
2	Santa Rita (Alameda)		
2	Santa Rosa		
1	Saratoga		
2	Sausalito		