

ORIGINAL

Decision No. 34466

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of maximum or minimum or maximum and minimum rates, rules and regulations of all common carriers as defined in the Public Utilities Act of the State of California, as amended, and all highway carriers as defined in Chapter 223, Statutes of 1935, as amended, for the transportation for compensation or hire, of any and all commodities.

Case No. 4246

APPEARANCES

Franklin, L. Knox, for California Dump Truck Association, Leonard M. Schempp, Barney J. Bryce, Chas. W. Shephard, and Wayne Mills,

Garvin Pelsue, for Graham Bros. Inc.

BY THE COMMISSION:

OPINION

The Commission by its orders in Decision No. 32566, as amended, prescribed minimum rates, rules and regulations governing the transportation of property in dump trucks by carriers operating under the Commission's jurisdiction. Along with prescribing rates, rules and regulations on a statewide basis, Highway Carriers' Tariff No. 7 (Appendix "A" to Decision No. 32566, as amended) provides hourly rates, distance rates and zone rates for the Los Angeles area. Subsequently the Commission received a petition from the California Dump Truck Owners' Association, an organization composed of over 170 carriers engaged in the transportation of property in dump trucks operating in the Los Angeles area, requesting that

Delivery Zone No. 44 be subdivided so as to establish Terminal Island as a separate zone, and to provide rates from Production Areas "M" and "W" located in the Palos Verdes Hills near San Pedro, to the areas developed by subdividing Delivery Zone No. 44.

On July 1, 1941 a hearing was held before Examiner Ager for the purpose of taking of evidence involving the transportation of property in dump trucks to points on Terminal Island in the Los Angeles-Long Beach Harbor area, from production areas located in the San Pedro-Palos Verdes Hills District.

Highway Carriers' Tariff No. 7, Decision No. 32566, as amended, describes Delivery Zone No. 44 as including within its boundaries the area of Terminal Island. Rates from Production Areas to the Delivery Zones provided in Section No. 3 of Highway Carriers' Tariff No. 7, therefore established the same minimum rate to Terminal Island as to any other point in Delivery Zone No. 44 from the same production area.

The zone rates established by the Commission in Highway Carriers' Tariff No. 7 from Production Area "W" to Zone No. 44 is 25 cents per ton and from Production Area "M" to Zone No. 44 is 30 cents per ton.

Four dump truck operators, members of the California Dump Truck Owners Association, testified that the only means of ingress and egress for dump trucks to and from Terminal Island is by way of Henry Ford Avenue and the highway drawbridge over Carritos Channel. Their testimony also indicated that because of the fact that the nearest highway intersecting Henry Ford Avenue, Anaheim Boulevard, is over one mile north of the drawbridge to Terminal Island. Over the indirect route necessary to follow, the mileage from the approximate center of Production Area "W" to the average

center of building activity on Terminal Island is about 13 miles, and from Production Area "M" is approximately 9 miles. The basis for the development of zone rates from Production Areas "M" and "W" for the transportation of commodities shown in Items Nos. 230 and 235 series, Highway Carriers' Tariff No. 7, Decision No. 32566, as amended, is a charge of 10 cents per ton for loading and unloading, plus 2.5 cents per ton per mile for the first 10 miles, plus 2.2 cents per ton per mile for each mile thereafter, to which sum is added 10%¹.

A shipper producing and marketing material from Production Area "W" and one from Production Area "M" testified that zone rates to Terminal Island should be adjusted to compensate the carrier for the added expense involved in making deliveries to Terminal Island from the areas in which they are interested.

O R D E R

Adjourned public hearing having been held in the above entitled proceedings and based upon the evidence thus received, and upon conclusions contained in the preceding opinion,

IT IS HEREBY ORDERED that Decision No. 32566, as amended, be and it is hereby further amended, effective July 21, 1941 as follows:

By substituting in Appendix "A" thereof (Highway Carriers'

1

By Decision No. 33775 the zone rates from the "East Side Production Area" was increased 10%. The "East Side Production Area" refers to production plants located in the San Gabriel Valley and South towards the Pacific Ocean and consists of Production Areas "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "R", "S", "T", "U", "W" and "X".

Tariff No. 7) the revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Second Revised Page 19, Cancels First Revised Page 19,

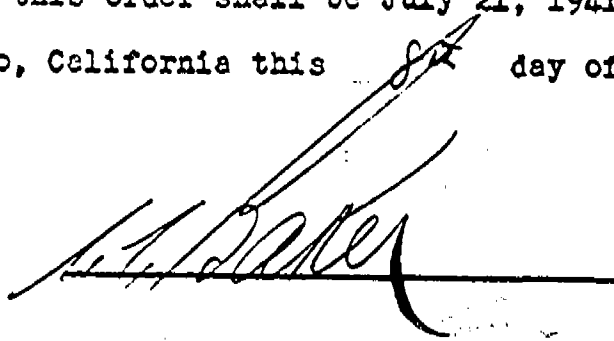
Third Revised Page 36, Cancels Second Revised Page 36,

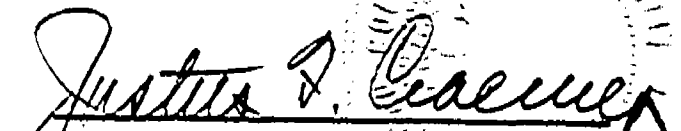
Second Revised Page 36 "A", Cancels First Revised Page 36 "A".

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 32566, as amended, shall be in full force and effect.

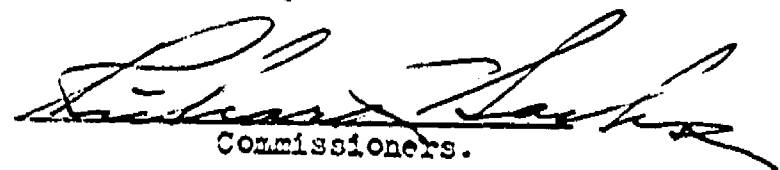
The effective date of this order shall be July 21, 1941.

Dated at San Francisco, California this 8th day of July, 1941.








Commissioners.

Zone SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued)
No.

APPLICATION OF TARIFF - TERRITORIAL (Continued)
LOS ANGELES AREA - DELIVERY ZONES (Continued)

43

Beginning at the intersection of the westerly county limit of the County of Orange with Del Amo Street, thence westerly on Del Amo Street to San Gabriel River; northerly on San Gabriel River to Orangethorpe Avenue; westerly on Orangethorpe Avenue to South Street; westerly on South Street and its westerly prolongation to the Los Angeles River; southerly along Los Angeles River to the Pacific Ocean; southeasterly along shore line of Pacific Ocean to the westerly County limit of the County of Orange; thence along said county limit in a general northeasterly direction to the point of beginning.

44

Beginning at the intersection of the water course at eastern end of Terminal Island with the Pacific Ocean, thence northerly along said water course to Cerritos Channel; westerly along Cerritos Channel northerly of Terminal Island through East Basin and Turning Basin to center of Southern Pacific Company's Bascule Bridge over entrance to West Basin; thence westerly along a direct line to the intersection of Channel Street with Wilmington & San Pedro Road; northwesterly on Wilmington & San Pedro Road to Battery Street; westerly on Battery Street to Gaffey Street; northerly on Gaffey Street to Gatum Street; westerly on Gatum Street to the westerly city limit of the City of Los Angeles; thence along city limit of said city in a general southerly direction to the Pacific Ocean; thence along the shore line of the Pacific Ocean including an extension across the Main Channel where said channel meets Pacific Ocean in a general easterly direction to the point of beginning.

*44-A

Beginning at the center of Southern Pacific Company's Bascule Bridge over entrance to West Basin in the Los Angeles Harbor district; thence westerly along a direct line to the intersection of Channel Street with Wilmington and San Pedro Road; northwesterly on Wilmington and San Pedro Road to Battery Street, westerly on Battery Street to Gaffey Street; northerly on Gaffey Street to Gatum Street; westerly on Gatum Street to the westerly city limit of the City of Los Angeles; thence along city limits of said city in a general southerly direction to the Pacific Ocean; thence along the shore line of the Pacific Ocean and of the outer harbor of Los Angeles Harbor to the watercourse termed the Main Channel of the Los Angeles Harbor; thence along the Main Channel and Turning Basin in a general northerly direction to the point of beginning.

*44-C

Beginning at the intersection of the watercourse at easterly end of Terminal Island with the Outer Harbor of the Los Angeles-Long Beach Harbor; thence northerly along said water course to Cerritos Channel; westerly along Cerritos Channel northerly of Terminal Island through East Basin and Turning Basin to the Main Channel of the Los Angeles Harbor; southerly along Main Channel to its intersection with the Outer Harbor of the Los Angeles Harbor; thence along the shore line of the Outer Harbor to the point of beginning.

45

Beginning at the intersection of Hawthorne Avenue with the southerly city limit of the City of Torrance, thence northwesterly and westerly along city limit of said city to the Pacific Ocean; southwestwardly along the shore line of Pacific Ocean to the southerly city limit of the City of Palos Verdes Estates; thence along city limit of said city in a general northeasterly direction to its intersection with the southerly city limit of the City of Torrance; northwesterly along said city limit to the point of beginning.

46

Beginning at the intersection of Palos Verdes Drive North with the westerly city limit of the City of Los Angeles, thence westerly along a direct line to the intersection of Pennsylvania Drive with the easterly city limit of the City of Torrance; southeasterly along a direct line to the intersection of Palos Verdes Drive North with Palos Verdes Drive East; thence along Palos Verdes Drive East and Palos Verdes Drive south in a general southerly direction to its intersection with the westerly con-

| Zone No. | SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued) |
|---------------|---|
| 46 Cont'd. | <p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL (Continued) LOS ANGELES AREA - DELIVERY ZONES (Continued)</p> <p>tinuation of Twenty-fifth Street; thence south to the Pacific Ocean; southeasterly along the shore line of Pacific Ocean to the westerly city limit of the City of Los Angeles; thence along city limit of said city in a general northerly direction to the point of beginning.</p> |
| 60-A | <p>Beginning at the intersection of Lake Avenue and Loma Alta Drive; thence westerly on Loma Alta Drive and its westerly prolongation to Windsor Avenue; southerly on Windsor Avenue to La Canada Verdugo Road; westerly on La Canada Verdugo Road to Linda Vista Avenue; southerly on Linda Vista Avenue to its intersection with the westerly prolongation of Montana Street; thence easterly along said prolongation and Montana Street to Marengo Avenue; southerly on Marengo Avenue to Montana Street; easterly on Montana Street to Los Robles Avenue; northerly on Los Robles Avenue to Woodbury Road; southeasterly on Woodbury Road to Lake Avenue; northerly on Lake Avenue to the point of beginning.</p> |
| 60-B | <p>Beginning at the intersection of New York Avenue and Foothill Boulevard, thence northwesterly on Foothill Boulevard to Crescent Drive; northerly on Crescent Drive to Rubio Drive; northerly and westerly on Rubio Drive to Palm Drive; thence northwesterly along a direct line to the intersection of Loma Alta Drive and Lake Avenue; southerly on Lake Avenue to New York Avenue; easterly on New York Avenue to the point of beginning.</p> |
| | (Continued) |

*Change, Decision No. 34466

EFFECTIVE JULY 21, 1941

ISSUED BY THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
San Francisco, California.

Correction No. 75

Item

No. SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES
IN CENTS PER TON (Continued)

MATERIAL, viz.:

Granite, decomposed
Gravel,

Sand,

Stone, crushed, chips or waste,
Stone, natural, blocks, pieces or slabs,
rough quarried.
Stone, natural, sawed, not further
finished

Between Points in LOS ANGELES AREA as described on Pages 11 to 21-C series,
inclusive.

| | TO | | FROM | | | | | TO | | FROM | | | | |
|-----------------|----------------|------------------|------|-----|-----|----|------|----------------|------------------|------|-----|---|---|-----|
| | Delivery Zones | Production Areas | K | L | M | N | O | Delivery Zones | Production Areas | K | L | M | N | O |
| | 1 | 70 | 81 | 105 | 96 | 67 | 44-A | | | | | | | 30 |
| | 2 | 65 | 70 | 113 | 80 | 75 | 44-C | | | | | | | 36 |
| | 3 | 45 | 50 | 102 | 61 | 53 | 45 | 88 | 90 | 25 | 130 | | | 77 |
| | 4 | 40 | 53 | 90 | 62 | 41 | 46 | 83 | 90 | 30 | 127 | | | 73 |
| | 5 | 48 | 65 | 90 | 73 | 51 | 60-A | 43 | 51 | 110 | 58 | | | 54 |
| | 6 | 50 | 65 | 84 | 83 | 48 | 60-B | 45 | 43 | 112 | 51 | | | 56 |
| | 7 | 63 | 73 | 90 | 90 | 58 | 60-C | 39 | 44 | 102 | 52 | | | 53 |
| 230-C Cancel | 8 | 70 | 88 | 108 | 101 | 73 | 60-D | 41 | 39 | 105 | 46 | | | 53 |
| | 9 | 84 | 90 | 116 | 108 | 80 | 60-E | 33 | 41 | 100 | 48 | | | 44 |
| 230-B | 10 | 77 | 89 | 112 | 111 | 77 | 60-F | 34 | 33 | 100 | 43 | | | 51 |
| | 11 | 89 | 105 | 123 | 116 | 88 | 61-A | 34 | 53 | 90 | 63 | | | 36 |
| | 12 | 85 | 99 | 120 | 116 | 86 | 61-B | 36 | 43 | 98 | 56 | | | 41 |
| | 13 | 88 | 102 | 123 | 121 | 87 | 61-C | 29 | 41 | 91 | 54 | | | 37 |
| | 14 | 96 | 110 | 123 | 120 | 94 | 61-D | 29 | 43 | 83 | 69 | | | 31 |
| | 15 | 83 | 88 | 117 | 102 | 81 | 62-A | 25 | 29 | 78 | 64 | | | 26 |
| | 16 | 83 | 90 | 122 | 106 | 84 | 62-B | 25 | 29 | 87 | 51 | | | 35 |
| | 20 | 29 | 40 | 69 | 68 | 25 | 63 | 30 | 25 | 95 | 45 | | | 44 |
| | 21A | 42 | 56 | 72 | 80 | 41 | 64 | 25 | 25 | 78 | 74 | | | 35 |
| | 21B | 44 | 58 | 90 | 83 | 48 | 65 | 35 | 25 | 80 | 58 | | | 44 |
| | 21C | 35 | 52 | 76 | 76 | 35 | 66 | 39 | 33 | 75 | 67 | | | 45 |
| | | | | | | | 67 | 45 | 46 | 65 | 75 | | | 54 |
| | 22 | 46 | 58 | 70 | 85 | 42 | 68 | 33 | 40 | 61 | 78 | | | 25 |
| | 23 | 44 | 56 | 61 | 84 | 39 | 69 | 43 | 48 | 48 | 86 | | | 34 |
| | 24 | 58 | 66 | 63 | 98 | 45 | 80 | 42 | 35 | 100 | 36 | | | 55 |
| | 25 | 63 | 72 | 63 | 105 | 54 | 81 | 50 | 43 | 112 | 39 | | | 62 |
| | 26 | 74 | 85 | 75 | 114 | 68 | 82 | 57 | 46 | 117 | 31 | | | 73 |
| | 27 | 78 | 90 | 83 | 122 | 75 | 83 | 77 | 65 | 127 | 46 | | | 88 |
| | 28 | 85 | 97 | 90 | 131 | 84 | 84 | 48 | 35 | 102 | 40 | | | 64 |
| | 35 | 59 | 69 | 46 | 101 | 46 | 85-A | 56 | 46 | 110 | 50 | | | 74 |
| | 36 | 46 | 53 | 51 | 88 | 32 | 85-B | 64 | 52 | 118 | 57 | | | 81 |
| | 37 | 58 | 63 | 40 | 111 | 45 | 85-C | 73 | 51 | 127 | 65 | | | 91 |
| | 40 | 73 | 77 | 31 | 114 | 59 | 86 | 79 | 73 | 142 | 57 | | | 100 |
| | 41 | 58 | 73 | 25 | 107 | 62 | | | | | | | | |
| | 42 | 61 | 61 | 33 | 96 | 51 | | | | | | | | |
| | 43 | 61 | 55 | 48 | 91 | 57 | | | | | | | | |
| | 44 | 78 | 83 | | 119 | 68 | | | | | | | | |

▲ Increase, Decision No. 32000

▲ Change, neither increase nor reduction, Decision No. 32000

EFFECTIVE JULY 21, 1941

ISSUED BY THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
Correction No. 76 San Francisco, California.

Item No. SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES
 IN CENTS PER TON (Continued)

MATERIAL, viz.:
 Granite, decomposed,
 Gravel,
 Sand,
 Stone, crushed, chips or waste,
 Stone, natural, blocks, pieces or slabs, rough quarried,
 Stone, natural, sawed, not further finished.

Between points in LOS ANGELES AREA as described on pages 11 to 21-G series, inclusive.

| Item No. | TO Delivery Zones | FROM Production Areas | | | | | | | | TO Delivery Zones | FROM Production Areas | | | | | | | |
|---------------------------|-------------------------|--------------------------|-----|----|-----|-----|-----|--------|------|-------------------------|--------------------------|----|-----|-----|-----|-----|--|----|
| | | P | R | S | T | U | W | X | P | | R | S | T | U | W | X | | |
| | | 1 | 101 | 52 | 64 | 98 | 81 | 110 | 91 | | ▲ 44-A | | | | | | | 25 |
| 2 | 108 | 65 | 67 | 99 | 79 | 117 | 101 | ◆ 44-C | | | | | | | 48 | | | |
| 3 | 96 | 64 | 50 | 87 | 67 | 106 | 89 | 45 | 35 | 61 | 77 | 55 | 67 | 40 | 41 | | | |
| 4 | 78 | 45 | 40 | 74 | 54 | 91 | 70 | 46 | 25 | 75 | 76 | 47 | 65 | 25 | 36 | | | |
| 5 | 86 | 44 | 52 | 85 | 65 | 98 | 79 | 60-A | 97 | 64 | 51 | 86 | 62 | 108 | 87 | | | |
| 235-B Cancels 235-A | 6 | 81 | 35 | 46 | 81 | 61 | 89 | 70 | 60-B | 100 | 67 | 53 | 87 | 62 | 110 | 91 | | |
| | 7 | 94 | 43 | 59 | 92 | 73 | 101 | 83 | 60-C | 92 | 61 | 45 | 81 | 56 | 103 | 85 | | |
| | 8 | 105 | 52 | 72 | 106 | 86 | 112 | 97 | 60-D | 96 | 65 | 51 | 83 | 56 | 105 | 87 | | |
| | 9 | 112 | 63 | 78 | 113 | 92 | 121 | 103 | 60-E | 87 | 58 | 40 | 75 | 51 | 94 | 77 | | |
| | 10 | 108 | 61 | 77 | 110 | 90 | 119 | 101 | 60-F | 89 | 61 | 43 | 75 | 51 | 99 | 83 | | |
| | 11 | 117 | 68 | 85 | 119 | 100 | 127 | 111 | 61-A | 78 | 46 | 32 | 67 | 47 | 84 | 65 | | |
| | 12 | 109 | 65 | 84 | 117 | 98 | 125 | 109 | 61-B | 85 | 50 | 39 | 73 | 52 | 87 | 75 | | |
| | 13 | 114 | 69 | 87 | 121 | 100 | 128 | 111 | 61-C | 79 | 48 | 31 | 68 | 46 | 86 | 70 | | |
| | 14 | 118 | 74 | 91 | 127 | 105 | 134 | 116 | 61-D | 69 | 37 | 31 | 66 | 46 | 79 | 61 | | |
| | 15 | 114 | 68 | 78 | 113 | 95 | 123 | 107 | 62-A | 67 | 43 | 25 | 58 | 32 | 79 | 63 | | |
| | 16 | 118 | 72 | 80 | 114 | 97 | 127 | 100 | 62-B | 79 | 52 | 30 | 65 | 41 | 87 | 73 | | |
| | 20 | 61 | 33 | 25 | 57 | 37 | 74 | 53 | 63 | 84 | 62 | 41 | 70 | 45 | 94 | 83 | | |
| | 21-A | 75 | 26 | 43 | 75 | 56 | 83 | 65 | 64 | 68 | 52 | 26 | 57 | 44 | 80 | 67 | | |
| | 21-B | 79 | 41 | 45 | 79 | 59 | 86 | 67 | 65 | 79 | 63 | 39 | 52 | 41 | 91 | 70 | | |
| | 21-C | 70 | 35 | 36 | 69 | 50 | 81 | 61 | 66 | 72 | 61 | 39 | 50 | 35 | 83 | 63 | | |
| | 22 | 74 | 25 | 41 | 73 | 52 | 80 | 63 | 67 | 57 | 70 | 52 | 40 | 39 | 73 | 55 | | |
| | 23 | 64 | 25 | 31 | 64 | 44 | 70 | 53 | 68 | 54 | 39 | 25 | 44 | 25 | 63 | 48 | | |
| | 24 | 74 | 25 | 47 | 79 | 59 | 79 | 65 | 69 | 42 | 52 | 35 | 31 | 25 | 51 | 36 | | |
| | 25 | 70 | 32 | 55 | 84 | 63 | 74 | 67 | 80 | 94 | 68 | 53 | 81 | 56 | 103 | 95 | | |
| | 26 | 78 | 45 | 67 | 90 | 74 | 81 | 73 | 81 | 100 | 73 | 59 | 87 | 62 | 109 | 99 | | |
| | 27 | 84 | 51 | 74 | 99 | 80 | 87 | 79 | 82 | 109 | 87 | 56 | 95 | 70 | 118 | 107 | | |
| | 28 | 91 | 58 | 83 | 107 | 89 | 97 | 89 | 83 | 129 | 105 | 84 | 111 | 87 | 134 | 123 | | |
| | 35 | 59 | 34 | 50 | 65 | 47 | 63 | 48 | 84 | 97 | 84 | 56 | 72 | 62 | 110 | 89 | | |
| | 36 | 55 | 26 | 35 | 58 | 39 | 62 | 43 | 85-A | 106 | 92 | 65 | 81 | 70 | 119 | 97 | | |
| | 37 | 42 | 41 | 50 | 47 | 41 | 48 | 31 | 85-B | 111 | 99 | 73 | 88 | 77 | 127 | 103 | | |
| | 40 | 40 | 48 | 63 | 51 | 55 | 44 | 31 | 85-C | 122 | 109 | 83 | 97 | 87 | 135 | 113 | | |
| | 41 | 25 | 56 | 61 | 39 | 52 | 31 | 25 | 86 | 135 | 123 | 96 | 110 | 100 | 150 | 128 | | |
| | 42 | 25 | 65 | 52 | 25 | 43 | 42 | 25 | | | | | | | | | | |
| | 43 | 40 | 79 | 57 | 25 | 44 | 47 | 43 | | | | | | | | | | |
| | 44 | 25 | 75 | 74 | 47 | 63 | | 36 | | | | | | | | | | |

◆ Increase, Decision No. 34466
 ▲ Change, neither increase nor reduction, Decision No. 34466

EFFECTIVE JULY 21, 1941
 ISSUED by THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
 Correction No. 77 San Francisco, California.