

ORIGINAL

Decision No. 34554

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 de-  
 fined in the Public Utilities Act of the State  
 of California, as amended, and all highway car-  
 riers as defined in Chapter 223, Statutes of  
 1935, as amended, for the transportation for  
 compensation or hire, of any and all commodities. )  
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 ) Case No. 4246  
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In the Matter of the Establishment of maximum  
 or minimum, or maximum and minimum rates, rules  
 and regulations of all carriers as defined in  
 the City Carriers' Act of the State of California,  
 (Statutes 1935, Chapter 312 as amended) for the  
 transportation over the public highways within  
 any city or county in the State of  
 California, for compensation or hire, of any and  
 all commodities. )  
 )  
 ) Case No. 4434  
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ADDITIONAL APPEARANCES:

T. A. L. LORETZ, for Orange County Dump Truck Association.

MELVILLE C. ERSKINE and T. A. L. LORETZ, for Blue Diamond Corporation, Inc.

N. W. SIMPSON and H. F. GARVIN PELSUE, for Graham Bros., Inc.

THOMAS W. MOORE, for Asphaltic Paving Materials Co.

PAUL MOE, for Moe Bros.

JAKE M. KYLE, in Propria Persona.

BY THE COMMISSION:

O P I N I O N

This order deals with the matter of fixing rates govern-  
ing for-hire operation in the transportation of property in dump  
trucks in the Los Angeles-Orange County Areas.

The Commission has heretofore issued its orders prescribing rates governing for-hire dump truck operations on a statewide basis, and, in addition, supplemental orders have been issued dealing specifically with certain phases of this matter. <sup>(1)</sup>

The instant order is directed to:

(a) Deliveries from production areas "F" and "G" located in the eastern portion of Los Angeles County to delivery zones in Orange County,

(b) Deliveries from production areas in Orange County to delivery zones in Orange County.

Upon petition from interested parties, a public hearing was held in this matter before Examiner Hunter at Los Angeles May 14, 1941.

To date, specific rates have not been established governing movements from production areas in Los Angeles County to delivery zones in Orange County. The record shows that the territory to the east and west of the Los Angeles-Orange County line is similar in character with respect to topography and development. Aside from use factor there appears to be little difference in the cost of transporting products in dump trucks in these two contiguous areas. It is now apparent there is a need for the establishment of such zone rates to be based upon the Los Angeles rate level which is approximately 10 per cent higher than the Orange County level.

Immediately prior to the issuance of Decision No. 33775, effective February 1, 1941, the level of

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(1) City Carriers' Tariff No. 6, Highway Carriers' Tariff No. 7 (Appendix "A" to Decision No. 32566, as amended) provides hourly distance and zone rates for the Los Angeles and the Orange County areas.

the rates was the same for Orange County and the eastern portion of Los Angeles County. By the terms of this order the Los Angeles County rates were increased approximately 10 per cent after hearing, whereas the Orange County rates were not changed for the reason there was no record which would justify a change. It is apparent from the record as it now stands, however, that the for-hire cost of transporting rock aggregates on a ton-mile basis in the Orange County section is at least equal to that in the Los Angeles area; therefore, the conclusion is justified that the Orange County zone rates should not be on a lower basis than those governing movements in the contiguous territory to the west in Los Angeles County. It appears appropriate to announce at this time that the record shows the delivery zones as now constituted in the Los Angeles and Orange County district are in need of some revision. In fact, various interested parties have offered certain plans looking to a revision of these zones. Before such changes can be effected, however, the Commission must have before it a proper record to justify the same, which to date has not been developed.

The following order will be confined to the two matters announced in the foregoing opinion.

#### ORDER

Public hearing having been held in the matters referred to in this opinion of the above-entitled proceedings, and based on the evidence thus received;

IT IS HEREBY ORDERED that City Carriers' Tariff No. 6, Highway Carriers' Tariff No. 7 (Appendix "A" to Decision No.

32566, as amended) be and it is hereby further amended by substituting therein, and adding thereto, to become effective September 22, 1941, the pages designated:

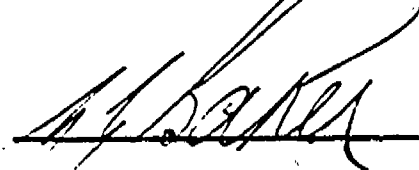
Original Page 36-B  
Second Revised Page 38, Cancels  
First Revised Page 38,  
Second Revised Page 38-B, Cancels  
First Revised Page 38-B,

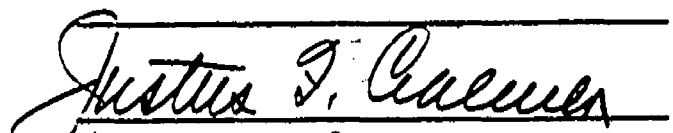
which are attached hereto and by this reference made a part hereof.


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 September 22, 1941.

Dated at San Francisco, California, this 22<sup>nd</sup> day of September, 1941.

  
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COMMISSIONERS

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)			
*237	MATERIAL, viz.: Granite, decomposed, Stone, crushed, chips or waste, Gravel, Stone, natural, blocks, pieces or slabs, Sand, Stone, natural, sawed, not further finished, rough quarried,			
	From points in Los Angeles Area as described on Page 21-E series to points in Orange County Area as described on pages 28 to 33 series, inclusive.			
		TO Delivery Zones	FROM Production Areas	
			F	G
		1	91	87
		2	87	83
		3	97	93
		4	96	91
		5	81	76
		6	74	70
		7	62	57
		8	75	70
		9	73	69
		10	91	87
		11	89	87
		12	82	90
		13	104	98
		14	109	104
		15	115	110
		16	102	97
	17	116	112	
	20-B	139	135	
	20-C	130	125	
*Reduction ) *Increase ) Decision No. 34564				
EFFECTIVE SEPTEMBER 22, 1941				
Issued by The Railroad Commission of the State of California, San Francisco, California.				
Correction No. 78				

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CITY CARRIERS' TARIFF NO. 6  
 HIGHWAY CARRIERS' TARIFF NO. 7

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)			
	TO Delivery Zones	FROM Production Areas		
		A	B	C
MATERIAL, viz.:				
	Granite, decomposed,	Stone, crushed, chips or waste,		
	Gravel,	Stone, natural, blocks, pieces or slabs,		
	Sand,	rough quarried,		
		Stone, natural, sawed, not further finished.		
Between Points in ORANGE COUNTY AREA as described on pages 28 to 33-A series, inclusive.				
250-B Cancels 250-A	1	25	75	54
	2	25	83	53
	3	25	78	65
	4	32	73	63
	5	35	86	45
	6	46	92	32
	7	57	103	25
	8	55	102	37
	9	53	101	37
	10	44	86	54
	11	54	94	57
	12	59	102	63
	13	59	83	74
	14	51	76	74
	15	55	67	80
	16	37	72	65
	17	44	51	78
	18	53	44	86
	19	69	31	97
	20-A	69	51	97
	20-B	74	54	101
	20-C	69	63	97
	21	83	44	116
22	86	25	112	
23	107	46	129	
♦ Increase - Decision No. 34574				
EFFECTIVE SEPTEMBER 22, 1941				
Issued by The Railroad Commission of the State of California, Correction No. 79. San Francisco, California.				

RLC

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CITY CARRIERS' TARIFF NO. 6  
 HIGHWAY CARRIERS' TARIFF NO. 7

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES		
	COMMODITY	BETWEEN (except as noted)	RATE
270-A Cancels 270	MATERIAL, viz.: Asphaltic Concrete (commonly called "Hot Stuff") Cold Road Oil Mixture (commonly called "Plant Mix") Dry Mixtures of Sand, Crushed Stone and Gravel in batches.	Production Areas and Delivery Zones in Los Angeles Area as described on pages 11 to 21-G series, inclusive.	Rates in Items Nos. 210, 220 230 and 235 series; plus 10 cents per ton.
280-A Cancels 280	MATERIAL, viz.: As described in Item No. 270 series.	Production Areas and Delivery Zones in Ventura County Area as described on pages 22 to 27 series, inclusive.	Rates in Item No. 240 series, plus 10 cents per ton.
290-A Cancels 290	MATERIAL, viz.: As described in Item No. 270 series.	Production Areas and Delivery Zones in Orange County Area as described on pages 28 to 33-A series, inclusive.	Rates in Item No. 250 series, plus 10 cents per ton.
295-A Cancels 295	MATERIAL, viz.: As described in Item No. 270 series.	Production Areas and Delivery Zones in San Diego Area as described on pages 33-B to 33-H series, inclusive.	Rates in Item No. 260 series, plus 10 cents per ton.
* 297	MATERIAL, viz.: As described in Item No. 270 series.	From Production Areas in Los Angeles Area as described on page 21-E series, to Delivery Zones in Orange County Area as described on pages 28 to 33 series, inclusive.	Rates in Item No. 237 series plus 10 cents per ton.
<p>* Reduction )          * Increase ) Decision No. 34564</p>			
<p>EFFECTIVE SEPTEMBER 22, 1941</p>			
<p>Issued by The Railroad Commission of the State of California          San Francisco, California.          Correction No. 80</p>			