

Decision No. 35751

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application)	
of FRANK COTTERELL, an individual)	
and Sub-Contractor for Guy F.)	
Atkinson Company and George Pollock)	Application
Co., for the permission to estab-)	No. 25154
lish rate.)	

BY THE COMMISSION:

OPINION AND ORDER

By this application Frank Cotterell, an individual, seeks authority under Section 11 of the Highway Carriers' Act to transport decomposed granite in dump truck equipment from a pit located adjacent to U.S. Highway 101 in the vicinity of Point Mugu, Ventura County, California, to the Marine Base of the U.S. Navy at Hueneme, California at a rate less than the established minimum rate. The proposed rate is 51 cents per cubic yard, and the established rate is 45 cents per ton.

It is represented that the contract with the Navy Department involves approximately 600,000 cubic yards of decomposed granite; that the pit is located 9.1 miles from the project; that there is only one boulevard stop along the route; that the route is on level paved roads; that scales are not available adjacent to the pit, and the contractors accept the capacity of trucks as the yardage hauled on each trip and do not load truck in excess of its capacity; that the project is to operate two-7 1/2 hour shifts per day, six days per week and that the U.S. Navy, the contractor and the applicant believe the proposed rate of 51 cents per cubic yard is adequate and compensatory.

The Navy project serviced by the applicant is vital to the needs of National defense. Because of the large volume of material involved, the two shifts per day, the elimination of weighing time, and the reduction of running time due to the small amount of traffic interference, the proposed rate appears to be profitable.

The California Dump Truck Owners Association has been apprised of this application and does not oppose the granting of the relief sought.

It appears that this is a matter in which a public hearing is not necessary and that under the circumstances of record the proposed rate is reasonable and should be authorized. The application will be granted.

It further appears that the special circumstances surrounding transportation between the points involved will cease upon completion of the construction work. The authority granted herein will therefore be limited to a period of one year unless sooner cancelled, changed or extended; therefore, good cause appearing

IT IS HEREBY ORDERED that Frank Cotterell, an individual, be and he is hereby authorized to transport decomposed granite in dump trucks approximately 9.1 miles from a pit located adjacent to U.S. Highway 101 in the vicinity of Point Mugu, Ventura County, California to the site of the Marine Base of the U.S. Navy at Hueneme, California at a rate less than that established as minimum for that transportation but not less than 51 cents per cubic yard.

IT IS HEREBY FURTHER ORDERED that the authority herein

granted shall expire in one year from the date of this order unless sooner cancelled, changed or extended by appropriate order of the Commission.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California this 1st day of
September, 1942.

Justin Z. Craven

[Signature]

Francis R. Havenner

Commissioners.