

ORIGINAL

Decision No. 40475

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of)
rates, rules and regulations for the)
transportation of property by common) Case No. 4246
carriers as defined in the Public)
Utilities Act and highway carriers as)
defined in the Highway Carriers' Act.)

In the Matter of the Establishment of)
rates, rules and regulations for the)
transportation of property by carriers) Case No. 4434
as defined in the City Carriers' Act.)

Appearances

- Herbert Cameron and E. O. Blackman, for California Dump Truck Owners Association.
- Austin H. Peck, Jr. and E. G. Feraud, for Southern California Rock Products Association.
- T. C. Rogers and Alfred E. Rogers, for Pacific Rock and Gravel Company.
- Thomas W. Moore, for Associated General Contractors of Southern California.
- Frank Hagan, for Graham Brothers, Incorporated.
- R. A. Griswold, for Monterey Park Granite Company, Inc.

SUPPLEMENTAL OPINION AND ORDER

Minimum rates, rules and regulations for the transportation of decomposed granite and other specified materials in dump trucks by city and highway carriers are set forth in City Carriers' Tariff No. 6 - Highway Carriers' Tariff No. 7 (Appendix "A" of Decision No. 32566 as amended in these proceedings). The tariff designates certain Los Angeles County areas as production and delivery zones and specifies minimum rates to be applied between these zones. From, to or between points not included in the zones, mileage rates apply. Monterey Park Granite Company, Inc., the operator of a decomposed granite pit situated on property adjacent to the production zone designated as "Los Angeles Production Area L", urges that the boundaries of that zone be

extended so as to include the property operated by the company.

A public hearing was had at Los Angeles, on May 1, 1947, before Examiner Mulgrew.

A witness for petitioner testified that his company sells its product in competition with other decomposed granite producers operating pits located within "Production Area I" and that a prior extension of that area included the property of one of these competitors but failed to include petitioner's pit by some 150 to 200 yards. He claimed that, because of differences between the zone rates enjoyed by the competitors and the mileage rates his firm is required to pay, petitioner cannot price its product on a competitive basis with like material sold by the other concerns.

The granting of the petition is supported by California Dump Truck Owners Association to the extent that this action would provide zone rates for the traffic involved. Its position is that the production area in question is already rather large and that sound rate-making requires subdivision of the area and inclusion of petitioner's production facilities in one of the resulting zones. The Association's secretary-manager claimed that to do otherwise would be inconsistent with the extensive subdivision of delivery zones, a proposed adjustment which has been recommended by both carrier and shipper interests.

Petitioner's witness agreed that adoption of the alternative proposal of the Dump Truck Association would be desirable, provided that it in no way interfered with the establishment of zone rates from the company's production facilities at the earliest possible date. He claimed that in the face of the competitive situation the company's need for zone rates is immediate and urgent.

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See Decision No. 38096 of July 27, 1945, in Application No. 26739.

Counsel for Southern California Rock Products Association said that it had no objection to the petition being granted. Aside from the objection of the Dump Truck Association the adjustment sought by petitioner was not opposed.

Full consideration of the carrier association's alternative proposal involving the subdivision of an admittedly large production area would require that the Commission be supplied with information concerning the location of the facilities of all of the shippers involved and other circumstances and conditions surrounding the transportation from the entire area which are not of record here. It has been shown that the property on which petitioner's facilities are situated is adjacent to the existing production area and that petitioner is disadvantaged because its competitors enjoy zone rates while it does not. The petition will be granted. The Commission will entertain a request for a subdivision of the area in question when and if any interested party advises it that full information relating to such a proposal is available and will be supplied.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that City Carriers' Tariff No. 6 - Highway Carriers' Tariff No. 7 (Appendix "A" of Decision No. 32566, as amended) be and it is hereby further amended by substituting therein, to become effective July 18, 1947, Second Revised Page 21-F cancels First Revised Page 21-F, which page is attached hereto and by this reference made a part hereof.

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

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 28th day of June, 1947.

Harold A. Hull
Justin F. Callahan
Walter Russell
A. J. ...
Kenneth Patten
Commissioners

Area No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued)
	<p>APPLICATION OF TARIFF - TERRITORIAL (Continued)</p> <p>LOS ANGELES - PRODUCTION AREAS (Continued)</p>
I	<p>That area in the City of Long Beach adjacent to the westerly end of Seventh Street and having Slip 2 for its northerly boundary, Long Beach Turning Basin for its westerly boundary, Slip 3 for its southerly boundary and a straight line between the easterly extremities of Slips 2 and 3 for its easterly boundary.</p>
J	<p>Beginning at the intersection of Kashlan Road and Chota Road, thence westerly along a direct line to the intersection of Cypress Street and Nabal Road; westerly on Cypress Street to Walnut Street; westerly on Walnut Street and Hiatt Street to the northerly county limit of the County of Orange; easterly along said county limit to Fullerton Road; northerly on Fullerton Road to Kashlan Road; westerly on Kashlan Road to the point of beginning.</p>
K	<p>Beginning at the intersection of the westerly city limit of the City of Alhambra with Ramona Boulevard, thence westerly on Ramona Boulevard to its intersection with the northerly prolongation of Rollins Avenue; southerly along said prolongation and Rollins Avenue to Partin Way; westerly on Partin Way to Booth Avenue; southerly on Booth Avenue to its intersection with the northerly prolongation of Eastern Way; southerly along said prolongation and Eastern Way to Blanchard Street; easterly on Blanchard Street to McBride Avenue; thence easterly along a direct line to the intersection of Ladrillo Avenue and Coyote Pass Road; northerly on Coyote Pass Road to its intersection with the southerly prolongation of the westerly city limit of the City of Alhambra; thence northerly along said prolongation and city limit to the point of beginning.</p>
*L	<p>Beginning at the intersection of Arroyo Drive and Mesa Drive, thence northerly on Mesa Drive to La Merced Road; westerly on La Merced Road to Graves Avenue; westerly on Graves Avenue to Garfield Avenue; southerly on Garfield Avenue to Third Street; easterly on Third Street to Wilcox Avenue; southerly on Wilcox Avenue to Lincoln Avenue; easterly on Lincoln Avenue to San Gabriel Boulevard; northerly on San Gabriel Boulevard to Arroyo Drive; westerly on Arroyo Drive to point of beginning.</p>
M	<p>Beginning at a point on Redondo & Wilmington Boulevard 1,000 feet easterly of Narbonne Avenue, thence westerly on Redondo & Wilmington Boulevard to Newton Street; westerly on Newton Street to Hawthorne Avenue; southerly and westerly on Hawthorne Avenue to the southerly city limit of the City of Torrance; southerly along said city limit and the southerly prolongation thereof to its intersection with a line 1,000 feet equidistant from and easterly of Narbonne Avenue; thence northerly along said equidistant line to the point of beginning.</p>
N	<p>Beginning at the northeast corner of the west half of the west half of Section 22, T. 1 N., R. 10 W., S. B. B. & M., thence westerly along the north lines of Sections 22 and 21 to the west line of the east half of Section 21; southerly along said line and the southerly prolongation thereof to its intersection with a line parallel to and 500 feet northerly of Fish Canyon Road; westerly along said parallel line to its</p>

intersection with the northerly continuation of Mount Olive Drive; southerly on said continuation and Mount Olive Drive to the railroad of Southern Pacific Company's Duarte branch; easterly along said railroad to Las Lomas Avenue; northerly on Las Lomas Avenue to Fish Canyon Road; easterly on Fish Canyon Road to the south line of Section 21; easterly along said south line and the south line of Section 22 to the southeast corner of the west half of the west half of Section 22; thence northerly along the east line of said fractional area to the point of beginning.

(Continued)

* Change, Decision No. 40475

EFFECTIVE JULY 18, 1947

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.

Correction No. 90