

Decision No. 40781

ORIGINAL

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 carriers as defined in) Case No. 4246
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) Case No. 4434
of property by carriers as defined in the)
(City Carriers' Act.))

Appearances

- E. O. Blackman, for California Dump Truck Owners Association.
- B. A. Bonpane, for A. V. Sullivan.
- H. G. Feraud, for Southern California Rock Products Association.
- William Guthrie, for San Bernardino and Riverside County Producers.

SUPPLEMENTAL OPINION AND ORDER

A. V. Sullivan is engaged in the decomposed granite business. His production facilities are situated in Montebello and near Whittier. Neither of them are within the boundaries of the production areas set forth in City Carriers' Tariff No. 6 - Highway Carriers' Tariff No. 7 (Appendix "A" to Decision No. 32566, as amended, in these proceedings). This tariff names minimum rates, rules and regulations for the transportation of specified materials, including decomposed granite, in dump trucks. Thereunder, zone rates apply to transportation between defined production areas and delivery zones, and mileage rates apply to transportation from, to or between other southern California points.

Sullivan and California Dump Truck Owners Association urge that the boundary of "Los Angeles County Production Area L" be extended so as to include the Montebello facilities and that a new

production area be established and rates provided for transportation from the plant in the vicinity of Whittier.

A public hearing was had at Los Angeles on September 23, 1947, before Examiner Mulgrew.

Sullivan testified that he marketed his granite in competition with other producers whose facilities are located within existing production areas, that the mileage rates applicable from his plants are generally higher than the zone rates available to his competitors for comparable service, and that as a result of this rate situation he is seriously handicapped in selling his material.

With respect to the Montebello plant, Sullivan said that it was within 4 blocks of the southwest boundary of "Production Area I" and closer to the principal markets for the decomposed granite produced in the Montebello area than his competitors' facilities in that area.

The secretary of California Dump Truck Owners Association claimed, and Sullivan agreed, that "Production Area I" is already too large and should, when the necessary facts are developed, be subdivided. Meanwhile, they said, Sullivan's facilities should be included in the existing production area.

In regard to the Whittier plant, Sullivan and the carrier association asked that zone rates be established for transportation from this plant to the various delivery zones on the same basis as zone rates for transportation from other production areas. In recognition of the fact that information relating to running times is necessary for such a determination, they submitted a running-time study similar to those presented at previous hearings involving zoning arrangements and rates for southern California generally.

The proposed adjustments were not opposed.

By Decision No. 40475 of June 28, 1947, "Production Area

"I" was enlarged to include the pit of Monterey Granite Company on a showing essentially similar to that here made with respect to Sullivan's Montebello facilities. In that decision it was held 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." For like reasons, the proposed further extension of this production area will be established. As stated in Decision No. 40475, a request for subdivision of the area will be entertained when and if any interested party advises the Commission that full information relating thereto is available and will be supplied.

It is also evident that petitioner Sullivan is disadvantaged in operating his facilities near Whittier because zone rates are not available for transportation from that plant but are available for transportation from competitors' plants. Zone rates will, therefore, be established as requested. These rates will be determined in the same manner as the revised rates prescribed by Decision No. 40724 of September 16, 1947, and will be made effective on the same date.

Therefore, good cause appearing,

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 incorporating therein, to become effective November 1, 1947, Fourth Revised Page 21-F cancels Third Revised Page 21-F and Second Revised Page 21-F, and Original Page 36-A-A, which pages are 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 6th day of October, 1947.

Donald P. Hills
Justus J. Calver
Earl K. Powell
A. J. [unclear]

Commissioners

Fourth Revised Page 21-F
 Canceled
 Third Revised Page 21-F
 and
 Second Revised Page 21-F

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

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

APPLICATION OF TARIFF - TERRITORIAL (Continued)	
LOS ANGELES COUNTY - PRODUCTION AREAS (Continued)	
K	Beginning at the intersection of the westerly boundary line of the City of Alhambra and 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; 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 boundary line of the City of Alhambra; northerly along said prolongation and boundary line to the point of beginning.
*L	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 Beverly Boulevard; easterly on Beverly Boulevard to Wilcox Avenue; northerly 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 the point of beginning.
M	Beginning at a point on Redondo and Wilmington Boulevard 1,000 feet easterly of Narbonne Avenue; thence westerly on Redondo and Wilmington Boulevard to Newton Street; westerly on Newton Street to Hawthorne Avenue; southerly and westerly on Hawthorne Avenue to the southerly boundary line of the City of Torrance; southerly along said boundary line and the southerly prolongation thereof to its intersection with a line 1,000 feet easterly of and parallel to Narbonne Avenue; northerly along said parallel line to the point of beginning.
(1)O	Beginning at the intersection of Mission Hill Road and Workman Mill Road; thence southerly along a direct line to the southwest corner of Section 10, T. 2 S., R. 9 W.; east along the south line of said Section 10 to the southeast corner thereof; north along the east line of Sections 10 and 3, T. 2 S., R. 9 W. to its intersection with the right-of-way of the Union Pacific Railroad Company; westerly along said right-of-way to Workman Mill Road; southerly along Workman Mill Road to the point of beginning.
P	Beginning at the intersection of Alameda and "O" Streets in Wilmington; thence northerly along Alameda to its intersection with "Q" Street; westerly along "Q" Street to its intersection with Gamble Avenue; southerly on Gamble Avenue and the southerly prolongation thereof to its intersection with the westerly prolongation of "O" Street; easterly along said prolongation and along "O" Street to the point of beginning.

Beginning at the intersection of Hollywood Boulevard and Courtney Avenue; thence northerly along a direct line to intersection of Nichols Canyon Road and Astral Drive; westerly along a direct line to the intersection of Nichols Canyon Road and Jalmia Drive; westerly along a direct line to the intersection of Lookout Mountain Avenue and Wonderland Park Avenue; southerly along Lookout Mountain Avenue to Oakstone Way; southerly on Oakstone Way to Sunset Plaza Drive; southerly along Sunset Plaza Drive to Sunset Boulevard; easterly along Sunset Boulevard to Laurel Canyon Boulevard; northerly along Laurel Canyon Boulevard to Hollywood Boulevard; easterly along Hollywood Boulevard to the point of beginning.

* Change)
(1) Addition) Decision No. 40781

EFFECTIVE NOVEMBER 1, 1947

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

Correction No. 168

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

Item No.

MATERIAL, viz.:

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

(1) From Los Angeles County Production Area 0

(1) TO

84236

Los Angeles County Delivery Zones	Rate	Los Angeles County Delivery Zones	Rate	Los Angeles County Delivery Zones	Rate	Los Angeles County Delivery Zones	Rate	Los Angeles County Delivery Zones	Rate	Los Angeles County Delivery Zones	Rate
1-A	138	9-A	151	23-A	105	43-A	72	61-A-4	84	69-E	64
1-B	135	9-B	147	23-B	95	43-B	63	61-B-1	92	69-F	71
1-C	135	9-C	145	23-C	90	43-C	58	61-B-2	82	69-G	80
1-D	133	9-D	149	23-D	82	43-D	64	61-C-1	76	73	
1-E	127	9-E	148	23-E	84	43-E	68	61-C-2	70	74	
1-F	121	9-F	151	23-F	93	43-F	78	61-C-3	74	75	
1-G	116	10-A	157	24-A	121	43-G	83	61-C-4	74	80-A	54
1-H	132	10-B	149	24-B	127	43-H	72	61-D-1	90	80-B	51
1-I	137	10-C	149	24-C	119	43-I	74	61-D-2	83	80-C	50
2-A	129	10-D	153	24-D	119	43-J	79	62-A-1	58	80-D	44
2-B	122	11-A	157	24-E	111	43-K	81	62-A-2	44	80-E	40
3-A	116	11-B	154	24-F	105	43-L	91	62-A-3	51	80-F	31
3-B	109	11-C	151	25-A	127	44-A	117	62-B-1	60	80-G	38
3-C	103	11-D	154	25-B	121	44-B	113	62-B-2	54	80-H	23
3-D	105	11-E	155	25-C	116	44-C	101	63-A	54	80-I	30
3-E	101	13-A	168	25-D	106	44-D	119	63-B	48	80-J	38
3-H	101	13-B	161	26-A	137	45-A	130	63-C	48	80-K	46
3-I	107	13-C	157	26-B	134	45-B	130	63-D	42	80-L	44
3-J	110	13-D	158	27	141	45-C	125	64-A	44	81-A	65
4-A	95	13-E	159	28	149	45-D	124	64-B	37	81-B	60

4-B	88	14-A	165	35-A	104	45-E	117	64-C	46	82-A	47
4-C	86	14-B	161	35-B	95	45-O	139	65-A	23	82-B	52
4-D	84	14-C	161	35-C	106	45-H	129	65-B	31	82-C	58
4-E	80	14-D	165	36-A	100	45-I	141	65-C	31	82-D	50
5-A	116	14-E	172	36-B	91	45-J	134	66-A	44	82-E	44
5-B	107	15-A	142	36-C	86	46		66-B	40	82-F	40
5-C	101	15-B	145	36-D	78	46-E	126	66-C	38	82-G	34
5-D	113	15-C	142	36-E	88	47		66-D	40	82-H	41
5-E	75	15-D	142	36-F	99	48		66-E	44	83-A	61
6-C	116	15-E	137	37-A	95	49		66-F	46	83-B	66
6-D	118	16-B	150	37-B	87	50		66-G	48	84-A	29
6-E	121	20-A	80	37-C	93	60-A-1	102	67-A	50	84-B	36
7-A	141	20-B	74	37-D	98	60-A-2	95	67-B	47	84-C	34
7-B	136	20-C	64	40-A	75	60-B-2	83	67-C	46	84-D	29
7-C	128	20-D	63	40-B	106	60-C-1	96	67-D	51	84-J	37
7-D	123	21-A-2	107	40-C	113	60-C-2	89	67-E	55	84-K	35
7-E	121	21-A-3	99	40-D	117	60-C-3	81	67-F	52	85-A-1	48
7-F	127	21-A-4	104	41-A	106	60-D-1	76	67-G	54	85-A-2	43
7-G	133	21-C-2	97	41-B	98	60-D-2	68	67-H	54	85-B-1	48
7-H	135	21-C-3	96	41-C	111	60-D-3	61	67-I	58	85-B-2	53
7-I	135	21-C-4	91	41-D	99	60-D-4	66	68-A	75	85-C-1	58
7-J	129	22-A	122	41-E	102	60-D-5	70	68-B	67	85-C-2	58
7-K	125	22-B	111	41-F	105	60-E-1	88	68-C	55	86-A	74
7-L	118	22-C	103	42-A	87	60-E-2	78	68-D	54	86-B	90
7-M	135	22-D	98	42-B	75	60-E-3	70	68-E	63	86-C	80
7-N	132	22-E	90	42-C	84	60-F-1	65	68-F	70	86-D	75
8-A	149	22-F	85	42-D	90	60-F-2	57	69-A	77	86-E	75
8-B	145	22-G	93	42-E	94	61-A-1	80	69-B	69	86-F	68
8-C	139	22-H	100	42-F	88	61-A-2	76	69-C	61	86-G	70
8-D	143	22-I	107	42-G	90	61-A-3	86	69-D	60	86-H	61
				42-H	98						

◊ Reduction } Decision No. 40781
◊ Increase }

(1) For descriptions of Los Angeles County Production Areas and Delivery Zones see Pages Nos. 11 to 21-G series, inclusive.

EFFECTIVE November 1, 1947

Correction No. 169

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

-36-A-A-