

ORIGINALDecision No. 47449

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the investigation)
 into the rates, rules, regulations,)
 charges, allowances and practices of) Case No. 4808
 all common carriers, highway carriers)
 and city carriers relating to the)
 transportation of property.)

Appearances

John B. Lonergan, for George Herz and Company, petitioner.

Herbert Cameron and E. O. Blackman, for California Dump
 Truck Owners' Association, interested party.

Austin H. Peck, Jr. and H. G. Feraud, for Southern Cali-
 fornia Rock Products Association, interested party.

R. J. Lowe, for Hanawalt Brothers, interested party.

Charles H. Jacobsen, for the Transportation Department of
 the Public Utilities Commission of the State of
 California.

SUPPLEMENTAL OPINION

Minimum rates, rules and regulations have been established heretofore for the transportation of asphaltic concrete, sand, rock and other materials in dump truck equipment. Zone rates are provided for movements in southern California between designated production areas and delivery zones, and mileage rates are provided for movements not covered by the zoning arrangements. In addition the tariff sets forth hourly rates which may be applied under specified conditions in lieu of the zone and mileage rates.

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The minimum rates, rules, regulations and zone descriptions are set forth in City Carriers' Tariff No. 6, Highway Carriers' Tariff No. 7 (Appendix "A" of Decision No. 32566, as amended).

Petitioner in the instant phase of this proceeding is a producer of asphaltic paving materials. It seeks extension of the zone basis of rates to cover deliveries from recently established production facilities in the vicinity of Claremont.

Public hearing of the matter was held before Examiner Abernathy at Los Angeles on May 21, 1952.

Petitioner has constructed a plant for the manufacture of asphaltic concrete about a mile north of the area which is designated in City Carriers' Tariff No. 6, Highway Carriers' Tariff No. 7 as production area "H". At this plant petitioner produces about 100 tons of paving material per hour for shipment to various destinations in Los Angeles and San Bernardino counties. What petitioner seeks herein is to have the boundaries of production area "H" extended so that the zone rates which apply to shipments from the area will likewise apply to shipments from the new plant.¹

According to testimony of petitioner's superintendent, extension of the zone basis of rates is sought because the zone rates result in lower charges than do the mileage rates. Moreover, they facilitate the marketing of the materials involved for the reason that they permit easy calculation of transportation costs for the purpose of furnishing price quotations to prospective customers. Assertedly, transportation costs may not be so readily computed under the mileage rates because of the difficulty of ascertaining applicable mileages prior to delivery. The witness said that zone rates apply to

¹ Enlargement of production area "H", as proposed, would make the zone rates applicable also to shipments from a new plant of a producer of sand and gravel. It was stated that this plant has a productive capacity of about 200 tons of material per hour.

shipments of competing producers and he declared that it would be inequitable for different rates to apply to shipments of his company.

Petitioner's witness stated that deliveries from his company's plant involve travel over virtually the same highways as those used by carriers serving the producers in the present production area. He said that the distances are about the same in both cases except with respect to shipments which are delivered to destinations generally to the south of the area. With respect to these shipments he said that about two miles more of travel per round trip is required to make the deliveries from his company's plant than is required from similar deliveries from the producer of asphaltic materials in the present production area. The difference in average distance is not sufficient to justify a difference in rates, he asserted, however, and he explained that the basing point for the present rates is near the northern boundary of the production area. With extension of the area as sought herein the present basing point will be the approximate midpoint of the enlarged area.

Granting of the petition was supported by the secretary of the California Dump Truck Owners' Association and by a producer of rock and sand whose plant is in the southern portion of production area "H". The secretary of the Southern California Rock Products Association opposed the enlargement of the production area in view of the additional distance trucks will be required to travel in serving the extended area. He declared that if zone rates are to be made applicable to petitioner's shipments a separate production area should be established and rates provided therefrom which more nearly reflect the costs of the service performed.

Zone rates have been established heretofore for transportation of various materials by dump truck equipment where a regular and substantial movement is involved. It appears from the evidence of record that the transportation involved herein is such that the establishment of zone rates therefor is warranted. Under the circumstances shown the zone rates to be established should be the same as those applying from production area "H" in order that they be nondiscriminatory. Upon careful consideration of all of the facts and circumstances of record the Commission is of the opinion and finds as a fact that extension of production area "H" as sought is justified. The petition will be granted.

O R D E R

Public hearing having been held of the petition which was filed in this proceeding on April 25, 1952, by George Herz & Co., the evidence received therein having been considered carefully and 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 August 4, 1952, Fourth Revised Page 21-E cancels Third Revised Page 21-E, which page is attached hereto and by this reference made a part hereof.

The effective date of this order shall be August 4, 1952.

Dated at San Francisco, California, this 8th day of

July, 1952.

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

J. J. [Signature] President
James D. Gallen
Harold P. Kild
F. Russell Pott
Commissioners

Area No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued)
	<p data-bbox="469 555 1334 614">APPLICATION OF TARIFF - TERRITORIAL (Continued) LOS ANGELES COUNTY - PRODUCTION AREAS</p> <p data-bbox="414 652 1430 1029">Beginning at the intersection of Stonehurst Avenue and Tujunga Avenue; thence southerly on Tujunga Avenue to Sheldon Street; southerly on Sheldon Street to Remsen Avenue; westerly on Remsen Avenue to Wentworth Street; westerly on Wentworth Street to Woodman Avenue; southerly on Woodman Avenue to Sherman Way; easterly on Sherman Way to Vineland Avenue; northerly on Vineland Avenue to Strathern Street; easterly on Strathern Street to Clybourn Avenue; northerly on Clybourn Avenue and Sunland Boulevard to Clybourn Avenue; northerly on Clybourn Avenue to Stonehurst Avenue; westerly on Stonehurst Avenue to the point of beginning.</p> <p data-bbox="414 1059 1466 1314">Beginning at the intersection of Foothill Boulevard and Wheatland Avenue; thence southerly on Wheatland Avenue to McBroom Street; westerly on McBroom Street to Clybourn Avenue; southerly on Clybourn Avenue to Art Street; easterly on Art Street to Wheatland Avenue; southerly on Wheatland Avenue to Sunland Boulevard; northerly on Sunland Boulevard to Foothill Boulevard; westerly on Foothill Boulevard to the point of beginning.</p> <p data-bbox="414 1345 1458 1536">Beginning at the intersection of Firestone Boulevard and Garfield Avenue; thence southerly on Garfield Avenue to Southern Avenue; westerly on Southern Avenue to the Los Angeles River; northerly along the Los Angeles River to Firestone Boulevard; easterly on Firestone Boulevard to the point of beginning.</p> <p data-bbox="414 1567 1433 1880">Beginning at the intersection of Hawthorne Avenue and Redondo Beach Boulevard; thence westerly on Redondo Beach Boulevard to its intersection with Ruxton Lane; southerly on Ruxton Lane to its intersection with Ripley Avenue; southwestwardly on Ripley Avenue to its intersection with Inglewood Avenue; south on Inglewood Avenue to its intersection with Dominguez Street; east on Dominguez Street to its intersection with Hawthorne Avenue; north on Hawthorne Avenue to the point of beginning.</p> <p data-bbox="414 1911 1438 2165">Beginning at the intersection of Vosburg Street and Sierra Madre Villa Avenue; thence westerly along a direct line to the intersection of Glenview Terrace and Foothill Boulevard; southerly on Foothill Boulevard and North Foothill Boulevard to Paloma Street; easterly on Paloma Street and the easterly prolongation thereof to Sierra Madre Villa Avenue; northerly on Sierra Madre Villa Avenue to the point of beginning.</p>

F

Beginning at the intersection of Colorado Boulevard and Shamrock Avenue in the City of Monrovia; thence westerly on Colorado Boulevard to a line 500 feet westerly of and parallel to Santa Anita Avenue; southerly along said line to Live Oak Avenue; easterly on Live Oak Avenue to Tyler Avenue; southerly on Tyler Avenue and Tyler Street to Columbia Avenue; easterly on Columbia Avenue, San Bernardino Road and West Ramona Boulevard to Center Street; northerly on Center Street to Olive Street; thence northerly along a direct line to the intersection of Meridian Street and Buena Vista Street; northerly on Buena Vista Street and the northerly prolongation thereof to Lemon Avenue; westerly on Lemon Avenue to Shamrock Avenue; southerly on Shamrock Avenue to the point of beginning.

G

Beginning at the intersection of Azusa Avenue and Eleventh Street in the City of Azusa; thence westerly on Eleventh Street to the railroad of Pacific Electric Railway Company's Glendora line; westerly on said railroad to the intersection of the northerly prolongation of Orange Avenue; southerly along said prolongation and Orange Avenue to Bonita Avenue; westerly on Bonita Avenue to Maine Avenue; southerly on Maine Avenue to the railroad of Pacific Electric Railway Company's Covina line; easterly on said railroad to Azusa Avenue; northerly on Azusa Avenue to the point of beginning.

*H

Beginning at the intersection of Orchard Avenue and Central Avenue in the County of San Bernardino; thence north along Central Avenue and its prolongation to a point six tenths of a mile north of Foothill Boulevard; westerly along an imaginary line parallel to Foothill Boulevard to the easterly boundary line of Los Angeles County; southerly along said boundary line to the railroad of Pacific Electric Railway Company; westerly on said railroad to Alexander Avenue in the City of Claremont; southerly on Alexander Avenue to San Bernardino Avenue; easterly on San Bernardino to Mills Avenue; southerly on Mills Avenue to Orchard Avenue; easterly on Orchard Avenue to the point of beginning.

*Change, Decision No. ~~47449~~ EFFECTIVE AUGUST 4, 1952

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

Correction No. 305