

ORIGINALDecision No. 55859

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 all common carriers, highway)
 carriers and city carriers relating)
 to the transportation of sand, rock,)
 gravel and related items (commodi-)
 ties for which rates are provided)
 in Minimum Rate Tariff No. 7).)

Case No. 5437

Petitions for
Modifications Nos. 36 and 37

ORDER CONSOLIDATING PROCEEDINGS
FOR THE LIMITED PURPOSE OF RESOLVING
A PRELIMINARY QUESTION

By Petition No. 36, the California Dump Truck Owners Association requests revision of Items Nos. 300-B, 360-J, 361 and 362 of Minimum Rate Tariff No. 7 so as to reinstitute "double factor" hourly rates in Northern Territory.

At the hearing held October 15, 1957 before Examiner Jack E. Thompson at San Francisco,¹ the California Trucking Associations, Inc., an interested party, moved that this matter be consolidated with Petition No. 37 in this proceeding; which petition was filed by the California Trucking Associations, Inc., requesting the establishment of "double factor" hourly rates in Southern Territory. The California Dump Truck Owners Association opposed the granting of the motion.

In Petition No. 36 it is proposed that the factor of the drivers' and helpers' wage rate be the prevailing rate of wages as determined by the State Department of Public Works and filed with

¹ Hearing in Petition No. 36 has been continued to a date to be set.

the Director of Industrial Relations under the provisions of Article II, Part 7, Division 2 of the California Labor Code. The petition is silent regarding the vehicle hourly rate which is the other part of the "double factor" rate. At the hearing the manager of the California Dump Truck Owners Association stated that only the Commission and its staff have actual knowledge of the amount of drivers' and helpers' wages that are included in the present single factor rate, and he suggested that the vehicle hourly rate be determined by the Commission by subtracting the amount of said drivers' and helpers' wages from the minimum rate presently in effect.

A motion was made by the California Trucking Associations, Inc., that the Commission direct its staff to make the computation as suggested above and to present the vehicle hourly rates as determined at the next hearing in this proceeding.

The Commission has been informed by its Transportation Division that the computation is not as simple as it would appear, and in stating the reasons therefor, the said Division has set forth some facts which indicate that "double factor" hourly rates may not be desirable or suitable as minimum rates for the transportation of commodities in dump truck equipment. These points should be presented in the record at a public hearing.

The desirability and suitability of "double factor" hourly rates as minimum rates is an issue in Petition No. 37 as well as Petition No. 36; therefore,

IT IS ORDERED that Petitions for Modifications Nos. 36 and 37 in Case No. 5437 be consolidated for hearing for the limited purpose of receiving evidence and argument on the preliminary question of whether "double factor" minimum hourly rates should be established for the transportation of commodities by dump trucks in Northern Territory, in Southern Territory, or in both territories.

The motions made in Petition for Modification No. 36 will be held in abeyance pending the resolving of the preliminary question.

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

Dated at San Francisco, California, this 19th day of November, 1957.

[Signature]
President
[Signature]
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Commissioners