

ORIGINAL

Decision No. 56413

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 (commodities for which rates are provided in Minimum Rate Tariff No. 7).

Case No. 5437  
Petition No. 42

E. C. Blackman, for California Dump Truck Owners Association, Inc., petitioner.

Arlo D. Poe, J. C. Kaspar, and James Cuintrall, for California Trucking Associations, Inc., interested party.

Warren P. Marsden and E. J. Saldine, for the Department of Public Works, Division of Highways, State of California, interested party.

R. A. Lubich, for the staff of the Public Utilities Commission of the State of California.

O P I N I O N

By petition filed November 14, 1957, the California Dump Truck Owners Association, Inc. seeks an increase of 24 cents an hour in the hourly rates which apply as minimum rates for the transportation of specified materials in dump truck equipment between points in Southern California territory.

Public hearing on the petition was held before Examiner C. S. Abernathy at Los Angeles on February 4, 1958. Evidence was presented by witnesses for petitioner and by a witness for the

Division of Highways of the California State Department of Public Works. A representative of the California Trucking Associations, Inc. and a member of the Commission's staff also participated in the development of the record.

The most recent adjustment of the hourly rates which apply in Southern California territory became effective November 15, 1957. The record shows that in accordance with present labor contracts dump truck carriers granted their drivers an increase of 2½ cents an hour in health and welfare benefits on January 1, 1958, and that on May 1, 1958, they will grant their drivers a wage increase of 20 cents an hour. With the increase in wages the carriers' payments for compensation insurance, social security and unemployment insurance will be increased by about 1½ cents per hour. According to testimony of petitioner's manager, he knows of no decreases in carriers' operating costs which would counteract the effect of these increases and that, if anything, the carriers have experienced further increases in costs as a result of a declining usage of their equipment in recent months. The increase of 24 cents an hour in the hourly rates is sought as an offset to the increases in health and welfare, wage, and related costs. Petitioner asks that the rate increase be made effective May 1, 1958, in order that it may become applicable concurrently with the increases in wage and other payments which will become effective on that date.

No one appeared in opposition to the petition.

The Commission is of the opinion and finds as a fact that the sought increase in the hourly rates has been shown to be

justified by the showing of increases in carriers' operating costs. The petition will be granted.

O R D E R

Based on the evidence of record and on the conclusions and findings in the preceding opinion,

IT IS HEREBY ORDERED that

1. Minimum Rate Tariff No. 7 (Appendix "A" of Decision No. 32566 as amended) be and it is hereby further amended by incorporating therein, to become effective May 1, 1958, Second Revised Page 42-C, which page is attached hereto and by this reference is made a part hereof.

2. In all other respects said Decision No. 32566 shall remain in full force and effect.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of March, 1958.

Eric E. Hatchell  
President  
Paul J. Winterman  
Michael J. ...  
...

Commissioners

Item No.	SECTION NO. 4	HOURLY RATES (Concluded)		
	<p>COMMODITIES, as described in Item No. 320.</p> <p>COLUMN "A" rates apply where the loading is performed by power loading device, excepting processed sand, gravel or crushed stone in stock piles at a commercial producing plant, at point of consumption or at intermediate point of transfer. A hopper chute or bunker shall not be deemed to be a power loading device.</p> <p>COLUMN "B" rates apply where the loading is performed by hand and where the average mileage of the vehicle does not exceed eight miles per hour for the period of time the vehicle is in use each day.</p> <p>COLUMN "C" rates apply where transportation or loading is under conditions other than described under application of Column "A" or Column "B" rates.</p>			
	Level Capacity of Dump Truck Body in Cubic Yards (See Note 1)	SOUTHERN TERRITORY (See Item No. 100) (1) Rates in Cents Per Hour (See Item No. 300) (See Note 2)		
		Column A	Column B	Column C
	Over                      But Not Over			
	0                              3	548	423	542
	3                              4	586	451	580
	4                              5	629	471	611
	5                              6	672	505	650
	6                              7	715	542	688
	7                              8	764	596	721
	8                              9	807	634	758
	9                              10	845	667	796
	10                             11	883	698	834
	11                             12	931	745	872
	12                             13	974	769	915
	13                             14	1001	796	942
	14                             15	1028	818	969
	15                             16	1066	864	996
	16                             17	1093	897	1023
	17                             18	1120	929	1050
	18                             19	1147	961	1077
	19                             20	1174	994	1104
	20 Add to rate for 20 cubic yards capacity for each cubic yard or fraction thereof--	27	32	27

\*365-C  
Cancel  
365-B

(1) Minimum charge shall be the rate for one hour.

NOTE 1.-Level capacity of Dump Truck body means the cubical content of the body in cubic yards calculated by multiplying the inside length by the average inside width and the average inside height of the sides of the body, including temporary side boards, if such boards are used, with no allowance for the crown of the load or for low head board or low tail gate.

In the case of a Dump Truck body not constructed for use of a tail gate (such as the so-called "rock body"), the inside length shall be deemed to mean the average of the measurement along the top of the sides from the inside of the head board to the point of the angle where the sides are diverted downward to meet the floor, and the measurement along the floor from the inside of the head board to the end of the body.

NOTE 2.--(a) For transportation service furnished under this item on Sundays and/or New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day,

- (1) The applicable hourly rates, except for transportation originating in Inyo or Mono Counties, shall be  $\diamond$  \$2.94 an hour in excess of those set forth above.
- (2) The applicable hourly rates for transportation originating in Inyo or Mono Counties shall be  $\diamond$  \$1.47 an hour in excess of those set forth above.

(b) Except as otherwise provided by paragraph (a) of this Note, the applicable hourly rates for transportation furnished on Saturdays or during periods in excess of 8 hours in any one shift shall be  $\diamond$  \$1.47 an hour in excess of those set forth above.

\* Change }  
 $\diamond$  Increase } Decision No. 56413

EFFECTIVE MAY 1, 1958

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 606