

ORIGINAL

Decision No. 57035

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. 43

- E. O. Blackman and William D. Campbell, for California Dump Truck Owners Association, petitioner.
- Austin H. Peck, Jr., for Southern California Rock Products Association, interested party.
- James Quintrall, Arlo D. Poe and J. C. Kaspar, for California Trucking Associations, Inc., interested party.
- R. A. Lubich and Carl B. Blaubach, for the staff of the Public Utilities Commission of the State of California.

O P I N I O N

By this petition the California Dump Truck Owners Association, Inc., seeks, among other things, amendment of Minimum Rate Tariff No. 7 to revise the territorial limits of Los Angeles County Production Areas "F" and "G", areas from which minimum zone rates have been prescribed for the transportation of rock, sand, gravel and related commodities in dump truck equipment.

Public hearings on the petition were held before Examiner C. S. Abernathy at Los Angeles on March 10 and April 21,

1958. Evidence in support of the proposed revisions was presented by applicant's manager.¹

The record shows that the purpose of the sought revision of Production Area "F" is to include in the area a new facility of the Owl Rock Products Co. which has been constructed in Los Angeles County territory to the north of Arrow Highway and to the east of Buena Vista Street; the purpose of the revision of Production Area "G" is to include in that area the Kincaid facility of Livingston Rock Company, which facility is located to the southwest of the junction of Irwindale Avenue and Huntington Drive (Foothill Boulevard). Assertedly, question has arisen whether the described facilities are, in fact, within Production Areas "F" and "G" respectively. By its proposals petitioner seeks revision of the tariff to eliminate such question in the future. According to petitioner's manager, the Owl Rock and the Livingston Rock facilities are so located in relation to competing rock products plants within Production Areas "F" and "G" that they should be accorded the same rates as those which apply from those production areas, respectively.

With reference to Production Area "F", revision of the area to exclude certain territory in the northern portion is also sought. Petitioner states that this portion of Production Area "F"

¹ At these hearings evidence was also received on other matters covered by Petition No. 43, which matters relate to the establishment of point-to-point rates for the transportation of rock, sand and gravel. At the conclusion of the hearing on April 21, 1958, the phase of Petition 43 dealing with revision of Production Areas "F" and "G" was taken under submission. The proceeding was otherwise continued for the receipt of further evidence on the other aspects of the petition.

is devoted principally to residential uses, and that no rock production facilities are located therein.

The Southern California Rock Products Association supported the proposed revisions. No one appeared in opposition thereto.

To the extent that the proposed revisions would result in enlargement of Production Areas "F" and "G", it appears that a strip of territory approximately one-half mile wide and two miles long would be added to the eastern portion of Production Area "F", and that a triangular area about one mile wide at the base and two miles long would be added to the western portion of Production Area "G". In the circumstances of record it is concluded and found that the additions are reasonable and necessary to the maintenance of a nondiscriminatory zone rate structure for the transportation of rock products and related commodities from the areas involved. The exclusion from Production Area "F" of non-rock producing territory as indicated also appears justified. The petition as it applies to the zone revisions will be granted.

ORDER

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

IT IS HEREBY ORDERED that 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

August 20, 1958, First Revised Page 21-EE, which page is attached hereto and by this reference is made a part hereof.

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 22nd day of July, 1958.

E. Lynn Fox
President
E. L. Hill
Paul W. ...
Theodore ...
Commissioners

Commissioner Matthew J. Dooley, being necessarily absent, did not participate in the disposition of this proceeding.

Area No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued)
	<p>APPLICATION OF TARIFF - TERRITORIAL (Continued) LOS ANGELES COUNTY - PRODUCTION AREAS (Continued)</p>
*oF	<p>Beginning at the intersection of Denning Ave. and Duarte Rd.; thence westerly along Duarte Rd. to its intersection with Mayflower Ave.; thence southerly along Mayflower Ave. to its intersection with Live Oak Ave.; thence westerly along Live Oak Ave. to its intersection with Tyler Ave.; thence southerly along Tyler Ave. and Tyler St. to its intersection with Valley Blvd.; thence south easterly on Valley Blvd. to its intersection with San Bernardino Rd.; thence easterly on San Bernardino Road to its intersection with the southerly prolongation of Center St., thence north along said prolongation and along Center St. to Olive Street thence in a direct line northeasterly to the intersection of Rivergrade Rd. and Live Oak Ave.; thence northerly along a direct line to the point of beginning.</p>
*oG	<p>Beginning at the intersection of Azusa Avenue and 11th Street in the City of Azusa; thence westerly along 11th Street and the westerly prolongation thereof to its intersection with the northerly prolongation of Irwindale Ave.; thence westerly along a direct line to the intersection of Fish Canyon Road and Royal Oaks Drive; thence southerly along a direct line to the intersection of Arrow Highway and Maine Ave.; thence southerly on Maine Ave. to the railroad of the Pacific Electric Railway Company's Covina line; thence easterly on said railroad to Azusa Avenue, thence northerly on Azusa Avenue to the point of beginning.</p>
H	<p>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.</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

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; southwesterly on Walnut Street to Hiatt Street; southerly on Hiatt Street to the northerly county limit of the County of Orange; easterly along said county limit to Fullerton Road; northeasterly on Fullerton Road to Kashlan Road; westerly on Kashlan Road to the point of beginning.

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.

* Change)
é Reduction) Decision No. 57035

EFFECTIVE AUGUST 20, 1958

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

Correction No. 648