

**ORIGINAL**Decision No. 58205

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation  
 into the rates, rules and regulations,  
 charges, allowances and practices of  
 all common carriers, highway carriers  
 and city carriers relating to the  
 transportation of any and all commodities  
 between and within all points and places  
 in the State of California (including,  
 but not limited to, transportation for  
 which rates are provided in Minimum  
 Rate Tariff No. 2).

Case No. 5432  
 (Order Setting Hearing  
 dated June 17, 1958)

(Appearances will be listed in the final opinion.)

INTERIM OPINION

This phase of Case No. 5432 relates to revision of the rates, rules and regulations in Minimum Rate Tariff No. 2 pertaining to the transportation of rice, grain, and grain products.

A number of days of public hearings have been held since March 3, 1959 at San Francisco, Fresno and Los Angeles before Examiner William E. Turpen.

At the hearing on April 7, 1959, the Commission staff introduced an exhibit (No. T-18), pointing out an apparent serious unreasonableness in the minimum rates for the transportation of whole grain from an area in San Luis Obispo County known as the Carrizo Plain, an area approximately 35 miles long and 8 miles wide, located between the Temblor Range on the north and east and the Caliente Range on the south and west in the southeast corner of San Luis Obispo County. The plain is a generally level area which, at the present time, is devoted primarily to the production of grain. This area is served by only one major road, State Sign Route 178, which runs on an

easterly-westerly course through the northern portion of the plain, passing through Simmler to La Panza Ranch, thence northwesterly to the junction of Calf Canyon Road (locally known as Wilsons Corner), and thence southwesterly via Calf Canyon Road to Santa Margarita. A direct route to Paso Robles exists by continuing on a northwesterly course at Wilsons Corner on a county road via Creston to Paso Robles.

In connection with grain moving to Central Valley points, such as Fresno and Stockton, the route most commonly used is from Simmler westerly to an unnumbered county road approximately 5 miles from Simmler, thence northerly to the junction of Bitterwater Road at Bitterwater pumping station, thence northeasterly to the junction of Bitterwater Road to State Highway No. 466, thence easterly to the junction of State Highway No. 33 at Blackwells Corner.

The major portions of the routes thus described are not set forth in Distance Table No. 4. The distances provided in the distance table from or to the community of Simmler are based upon substantially longer routes. The distance rates on whole grain in Minimum Rate Tariff No. 2 are governed by the distance table regardless of any shorter or longer route actually available or used. Thus, under the present tariff provisions, all of the grain produced in the Carrizo Plain area must bear transportation rates based upon the cost of trucking over routes some 50 percent greater than the direct routes now in use.

Members of the Commission's Transportation Division made a field survey of the area in question and developed appropriate constructive mileages for the routes in use. This survey showed that constructive distance between Simmler and Paso Robles should be 60 miles instead of 95; between Simmler and Santa Margarita, 56.5

miles instead of 75; and between Simmler and Blackwells Corner, 39 miles instead of 68.

No one opposed the adjustments recommended by the staff.

Disparities between existing routes and distance table routes are not uncommon, and generally cannot be adjusted on a piece-meal basis. However, the Carrizo Plain situation, as it relates to whole grain shipments, presents such an aggravated condition it seems necessary to make an immediate correction by the most feasible expedient available.

It appears, and the Commission finds, that the minimum rates for the transportation of whole grain from the Carrizo Plain should be adjusted as recommended by the staff. The adjustment in the rates may be readily made without the establishment of point-to-point rates, and without disturbing or disrupting the computation of distances on other commodities or between other points, by incorporating a note in Item No. 654 $\frac{1}{2}$  of Minimum Rate Tariff No. 2. The note may be removed later when the distance table as a whole has been revised. The tariff will be so amended. In view of the fact that grain is now moving from this area, the order which follows will be made effective in ten days, and the rate adjustment will be made effective as early as possible.

INTERIM ORDER

Based upon the evidence of record and upon the findings and conclusions set forth in the preceding opinion,

IT IS ORDERED:

(1) That Minimum Rate Tariff No. 2 (Appendix "D" of Decision No. 31606 as amended) be and it is hereby further amended by incorporating therein, to become effective May 1, 1959, Third Revised Page 51-EE, which page is attached hereto and by this reference is made a part hereof.

(2) That tariff publications authorized to be made by common carriers as a result of the order herein may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the tariff changes herein involved.

(3) That in all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 21<sup>st</sup> day of April, 1959.

[Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

Item No.	SECTION NO. 3				COMMODITY RATES (Continued) In Cents per 100 Pounds							
GRAIN, GRAIN PRODUCTS AND RELATED ARTICLES, as described in Items Nos. 652 to 653, inclusive. Column A rates apply to field pickup shipments as described in paragraph (d) of Item No. 653. Column B rates do not apply to field pickup shipments for which rates are provided in Columns A of this item. See Item No. 653 for Application of Rates in this item.												
MILES (See Note 1)		(3) RATES										
		MINIMUM WEIGHT IN POUNDS										
But not Over		10,000 COLUMN				20,000 COLUMN				30,000 COLUMN		
		A		B		A		B		A B		
Over		(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	A	B	
0	3	9	10 $\frac{1}{2}$	8	8	6-3/4	6-3/4	5-3/4	5-3/4	5-3/4	4 $\frac{1}{2}$	
3	5	11 $\frac{1}{2}$	12 $\frac{1}{2}$	8 $\frac{1}{2}$	8 $\frac{1}{2}$	8 $\frac{1}{2}$	9	5-3/4	6 $\frac{1}{2}$	7 $\frac{1}{2}$	5 $\frac{1}{2}$	
5	10	12 $\frac{1}{2}$	14	9	9	10	10 $\frac{1}{2}$	6 $\frac{1}{2}$	6 $\frac{1}{2}$	8	5 $\frac{1}{2}$	
10	15	15	15	10 $\frac{1}{2}$	11 $\frac{1}{2}$	10 $\frac{1}{2}$	11 $\frac{1}{2}$	6-3/4	6-3/4	9	5-3/4	
15	20	16	16	11 $\frac{1}{2}$	12 $\frac{1}{2}$	10 $\frac{1}{2}$	11 $\frac{1}{2}$	6-3/4	6-3/4	9	5-3/4	
20	25	17	17	11	11	11 $\frac{1}{2}$	12 $\frac{1}{2}$	8	8	10 $\frac{1}{2}$	6 $\frac{1}{2}$	
25	30	18	18	15	15	11 $\frac{1}{2}$	12 $\frac{1}{2}$	8 $\frac{1}{2}$	8 $\frac{1}{2}$	10 $\frac{1}{2}$	6 $\frac{1}{2}$	
30	35	20	21	16	16	12 $\frac{1}{2}$	13 $\frac{1}{2}$	10	10 $\frac{1}{2}$	11 $\frac{1}{2}$	8	
35	40	22 $\frac{1}{2}$	23 $\frac{1}{2}$	17	17	12 $\frac{1}{2}$	13 $\frac{1}{2}$	10 $\frac{1}{2}$	10 $\frac{1}{2}$	11 $\frac{1}{2}$	8	
40	45	23 $\frac{1}{2}$	24 $\frac{1}{2}$	18	18	13 $\frac{1}{2}$	15	10 $\frac{1}{2}$	11 $\frac{1}{2}$	11 $\frac{1}{2}$	8	
45	50	24 $\frac{1}{2}$	25 $\frac{1}{2}$	20	20	15	15	11 $\frac{1}{2}$	11 $\frac{1}{2}$	11 $\frac{1}{2}$	8	
50	60	25 $\frac{1}{2}$	26 $\frac{1}{2}$	22 $\frac{1}{2}$	22 $\frac{1}{2}$	16	16	12 $\frac{1}{2}$	12 $\frac{1}{2}$	12 $\frac{1}{2}$	10 $\frac{1}{2}$	
60	70	27 $\frac{1}{2}$	27 $\frac{1}{2}$	24 $\frac{1}{2}$	24 $\frac{1}{2}$	17	17	13 $\frac{1}{2}$	13 $\frac{1}{2}$	14 $\frac{1}{2}$	11 $\frac{1}{2}$	
70	80	28 $\frac{1}{2}$	28 $\frac{1}{2}$	26 $\frac{1}{2}$	26 $\frac{1}{2}$	18	18	14 $\frac{1}{2}$	14 $\frac{1}{2}$	17	12 $\frac{1}{2}$	
80	90		30 $\frac{1}{2}$		27 $\frac{1}{2}$		21		17	17	14 $\frac{1}{2}$	
90	100		35		28 $\frac{1}{2}$		22		18	18	16	
100	110		37		30 $\frac{1}{2}$		23		21	22	18	
110	120		38		35		24		22	23	18	
120	130		40		37		25		23	23	21	
130	140		41		39		28 $\frac{1}{2}$		24	24	21	
140	150		42 $\frac{1}{2}$		40		29 $\frac{1}{2}$		25	25	23	
150	160		45		41		30 $\frac{1}{2}$		28 $\frac{1}{2}$	27 $\frac{1}{2}$	24	
160	170		48		42 $\frac{1}{2}$		30 $\frac{1}{2}$		28 $\frac{1}{2}$	28 $\frac{1}{2}$	25	
170	180		50		45		33 $\frac{1}{2}$		29 $\frac{1}{2}$	29 $\frac{1}{2}$	25	
180	190		51		48		34 $\frac{1}{2}$		30 $\frac{1}{2}$	30 $\frac{1}{2}$	28 $\frac{1}{2}$	
190	200		53		50		37		30 $\frac{1}{2}$	30 $\frac{1}{2}$	28 $\frac{1}{2}$	
200	220		54		52		39		34 $\frac{1}{2}$	34 $\frac{1}{2}$	30 $\frac{1}{2}$	
220	240		61		54		41		39	38	34 $\frac{1}{2}$	
240	260		63		61		43		40	40	38	
260	280		66		64		47		42	42	40	
280	300		70		66		50		47	47	41	
300	325		75		72		53		50	49	47	
325	350		78		76		55		53	51	49	
350	375		82		79		61		56	54	51	
375	400		88		85		64		61	58	54	
400	425		94		90		67		64	62	57	
425	450		98		95		69		67	66	59	
450	475		102		98		73		69	68	61	
475	500		106		102		77		74	73	63	
500	525		116		107		81		77	75	65	
525	550		120		110		85		81	78	67	
550	575		123		114		88		85	82	69	
575	600		126		117		90		88	87	71	

\*654 $\frac{1}{2}$ -C  
Cancels  
654 $\frac{1}{2}$ -D

600	625	130	119	93	90	39	73
625	650	135	122	100	93	92	75
650	675	140	125	102	100	94	78
675	700	144	128	104	102	100	80
(3) Exception to mileage rates		(4)9	(4)9	(4)6-3/4	(4)6-3/4	(4)6 1/2	(4)6 1/2

NOTE 1.-(a) Exception 2 of Item No. 100 will not apply in connection with rates in this item.

/(b) For the transportation of whole grain, the distance between Sirmor and Paso Robles shall be 60 constructive miles; between Sirmor and Santa Margarita shall be 56.5 constructive miles; and between Sirmor and Blackwells Corner shall be 39 constructive miles.

- (1) Rates apply to shipments not subject to Column (2) rates.
- (2) Rates apply only (a) to shipments between points of origin and destination both of which are within San Francisco Bay Counties Territory as described in paragraph 3 1/2 of Item No. 270; and (b) to split pickup or split delivery shipments between points of origin and destination all of which are within said San Francisco Bay Counties Territory.
- (4) Applies only for transportation within Imperial Valley Irrigation District for distances of 10 miles or less, or for distances of more than 10 miles when movement is to a team track or to an established depot.

\* Change )  
 # Addition ) Decision No. **58205**  
 o Reduction )

EFFECTIVE MAY 1, 1959

Issued by the Public Utilities Commission of the State of California,  
 San Francisco, California.  
 Correction No. 909