

Decision No. 59757

**ORIGINAL**

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 household )  
goods carriers, common carriers, highway )  
carriers, and city carriers relating to )  
the transportation of used household )  
goods and related property. )

Case No. 5330  
(Petition for Modifi-  
cation No. 10)

And related matters

) Cases Nos. 5432 (Petition  
) for Modification No. 17),  
) 5433 (Petition for Modifi-  
) cation No. 8), 5436 (Peti-  
) tion for Modification No.  
) 28), 5438 (Petition for  
) Modification No. 17), 5440  
) (Petition for Modification  
) No. 6), 5603 (Petition for  
) Modification No. 6), and  
) 5604 (Petition for Modifi-  
) cation No. 4).

SUPPLEMENTAL OPINION AND ORDER

By petitions for modification filed November 23, 1959, in the various minimum rate proceedings involved, California Trucking Associations, Inc., seeks an amendment to Distance Table No. 4 to establish increased constructive mileages to and from Santa Susana Test Facility, located in the Santa Susana Mountains near Santa Susana and Canoga Park.

Petitioner states that the constructive mileages established by the Commission in Distance Table No. 4 have not been subject to general revision since the issuance of Decision No. 46022 dated July 31, 1951. The petitions recite that since such revision a substantial development of testing facilities has occurred in the Santa Susana Mountains, that such facility is known as the Santa Susana Test Facility, and that the operation of the facility requires continual and substantial service by highway carriers. Present provisions of Distance Table No. 4 do not include this facility as a named point. Petitioner alleges that the constructive mileage determined under the provisions of Distance Table No. 4 is unreasonable

and insufficient, and that distance rates determined therefrom under the provisions of the various minimum rate tariffs involved are correspondingly unreasonable and insufficient. Petitioner avers that there is no adequate or practical method of correction other than by appropriate amendment of Distance Table No. 4.

Petitioner states that it is informed and believes that in the development of constructive mileages as provided in Distance Table No. 4 the Commission utilized a formula for the translation of actual highway miles into constructive mileage, that such formula is applicable to the situation presented herein, and that application of such formula would permit the establishment of a reasonable constructive mileage between existing junction points and the Santa Susana Test Facility. Attached to the petition is a suggested form of revision to Distance Table No. 4. The constructive mileage to and from the points in question, petitioner states, is ascertainable from facts within the official knowledge of the Commission or may be readily ascertained by its staff.

A study by the Transportation Division staff shows that the mileage from State Sign Route 27 to the test facility is five actual miles. It recommends that a constructive distance of nine and one-half miles be established for this highway segment. The staff report has been made a part of the record in Case No. 5432, identified as Exhibit No. 171-1. The most feasible method of amending the distance table is by supplement setting forth the constructive mileages between Santa Susana Test Facility and certain points shown in Map 8 of Section 4 of the table.

In the circumstances, it appears, and the Commission finds, that the constructive mileages as set forth in the attached supplement are reasonable and justified. It is also found that the proposed revisions in Distance Table No. 4, when applied in conjunction with the minimum rate tariffs subject thereto, will result in just, reasonable and nondiscriminatory rates for transportation governed by said publications. It is further found that, to the extent that the provisions of Distance Table No. 4 heretofore have been found to constitute reasonable rules, regulations and distances for common carriers as defined in the Public Utilities Act, the provisions of said distance table as hereinafter modified are, and will be, reasonable minimum provisions for said carriers, and to this same extent existing rules, regulations and distances which are maintained by said common carriers for intrastate transportation within California are, and will be for the future, unreasonable, insufficient and not justified by the actual competitive rates of competing carriers or by the cost of other means of transportation insofar as they are lower in volume or effect than those set forth in Distance Table No. 4, as hereinafter adjusted.

The petitions will be granted to the extent set forth in the following order. In other respects, they will be denied. A public hearing is not necessary.

Also, Southwestern California Constructive Mileage Map, appended to Decision No. 59339 of December 8, 1959, in these proceedings, indicates that it is "Revised to January 29, 1959." The date should have read "January 29, 1960." This inadvertence will be corrected in the order that follows.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Distance Table No. 4 (Appendix "A" of Decision No. 46022, as amended) is hereby further amended by incorporating therein, to become effective April 29, 1960, Supplement No. 6 attached hereto and by this reference made a part hereof.

C. 5330 (Pet. 10) et al-ams

(2) That the phrase "Revised to January 29, 1959", contained in revised Southwestern California Constructive Mileage Map No. 6, Appendix "A" to Decision No. 59339, dated December 8, 1959, in Case No. 5330, et al., is hereby amended to read "Revised to January 29, 1960."




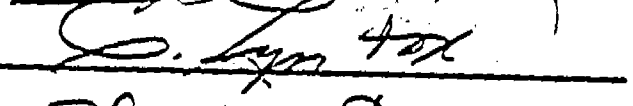

(3) That tariff publications required or authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, to become effective on not less than five days' notice to the Commission and to the public; and that such tariff publications as are required shall be made effective not later than April 29, 1960; and that as to tariff publications which are authorized but not required the authority herein granted shall expire unless exercised within sixty days after the effective date hereof.

(4) That common carriers are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, Section 460 of the Public Utilities Code, and from the provisions of Tariff Circular No. 2 and General Order No. 80, to the extent necessary to carry out the effect of the order herein.

(5) That in all other respects said Decision No. 46022, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 8th day of March, 1960.

  
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President  
  
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Commissioners

SUPPLEMENT NO. 6  
(Supplements Nos. 4, 5 and 6 Contain All Changes)

TO

DISTANCE TABLE NO. 4

Containing

REGULATIONS, MILEAGE TABLES, AND MAPS  
FOR THE DETERMINATION OF

HIGHWAY CONSTRUCTIVE MILEAGE DISTANCES

Between

POINTS WITHIN THE STATE OF CALIFORNIA

Constructive mileages from and to Santa Susana Test Facility are,  
and for the future, will be:

<u>Between Santa Susana Test Facility and:</u>	<u>Constructive Mileages</u>
Canoga Park	12.5
Unnamed point located at the intersection of State Routes 27 and 118, 4 constructive miles north of Canoga Park.	10.5

The above mileages shall be used as bases in determining the  
constructive mileages from and to Santa Susana Test Facility.

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EFFECTIVE APRIL 29, 1960

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