

Decision No. 59983

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 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. 57

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

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

R. A. Lubich and Ralph J. Staunton, for the Commission's staff.

O P I N I O N

By this petition, filed September 14, 1959, the California Dump Truck Owners Association, Inc., seeks amendment of Minimum Rate Tariff No. 7 to provide certain rates for the transportation of lightweight aggregates between points in southern California territory.

Public hearing on the petition was held before Examiner C. S. Abernathy at Los Angeles on December 4, 1959. Evidence in support of the petition was submitted by two carrier witnesses, by a receiver of the aggregates involved, and by petitioner's manager. A representative of the California Trucking Associations, Inc., and members of the Commission's staff also participated in the development of the record.

According to the evidence in this matter, for-hire dump truck carriers operating in southern California territory annually transport substantial quantities of lightweight aggregates.¹ For the most part, the aggregates move from points of production to manufacturers of concrete blocks and other concrete articles, to batching plants, and to distribution yards. Because of the light weight of the aggregates, in comparison with that of other rock and rock products usually transported by dump truck carriers, the transportation is performed by the use of specialized, high-cubic-capacity vehicles.

At the present time the transportation of much of this material within southern territory is not subject to minimum rates, although minimum rates, both on a distance basis and on an hourly basis, are provided in Minimum Rate Tariff No. 7 for like transportation in northern territory.² Assertedly, the absence of prescribed rates for the transportation in Southern California results in confusion as to what rates should be charged and paid. As a consequence the rates that are being assessed vary rather widely for essentially the same services. The establishment of rates for said transportation is urged as a measure to provide orderly and known rates for carriers and shippers alike.

¹As used herein, the term "lightweight aggregates" refers to the following commodities:

Ash, volcanic,	Sand, burnt shale,
Cinders,	Scoria, volcanic,
Clay, burnt or calcined,	Shale, burnt or calcined,
Pumice,	Slag, expanded.

²A few of the commodities, such as burnt clay and burnt shale, are included within generic commodity descriptions such as "clay" and "shale" for which hourly rates are provided in southern territory. Southern territory includes the counties of Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, San Bernardino, Inyo and Mono. Northern territory includes all other counties of the State.

Petitioner's proposals in this matter are that the distance rates in Minimum Rate Tariff No. 7 which have been specifically developed and prescribed for the transportation of lightweight aggregates in northern California territory be made applicable to like transportation in southern California territory also. Specifically, petitioner asks that said rates be made statewide in application. As pertaining to the hourly rates, the proposals are that lightweight aggregates be added to the listing of commodities for which hourly rates now apply for transportation within Southern California. Petitioner states that these proposals have been considered by carriers and shippers that would be affected thereby, and that said carriers and shippers are of the belief that the proposed rates would be reasonable.

No one appeared in opposition to the granting of the petition.

The rates which petitioner seeks should be established substantially as requested. It appears that the establishment of minimum rates for the transportation involved is justified by the need shown for a stable basis of rates for said transportation. The hourly rates which would become applicable appear reasonable, inasmuch as they are the same as those which apply at present as reasonable minimum hourly rates for other dump truck transportation in southern California territory by means of vehicles of the same size and type as those used in the transportation of lightweight aggregates. It appears also that the distance rates which would become applicable may be deemed to be reasonable in view of their evident acceptance as such by shippers and carriers that would be subject thereto.

We do not conclude, however, that the establishment of distance rates for the transportation of lightweight aggregates in southern California territory should be accomplished in the manner that petitioner proposes, namely, by extension of the present distance scale for northern California territory so as to apply statewide. Past experience with dump truck transportation in the northern and southern territories shows that different rate-making considerations govern the transportation in the respective territories. The record in this matter does not provide sufficient grounds for concluding that these differences should be disregarded. Although the evidence in this matter justifies the prescription of rates for southern territory corresponding in level to the rates for northern territory, it appears that a separate scale of rates for southern territory should be provided, thus retaining unchanged the underlying framework of the tariff to the end that future adjustment of the rates for either territory may be made as circumstances require.

Upon careful consideration of the facts and circumstances of record, it is found as a fact and concluded that the rates which are hereinafter prescribed are, and will be, just, reasonable and nondiscriminatory minimum rates for the transportation of lightweight aggregates in dump truck equipment by radial highway common carriers, highway contract carriers and city carriers from or between points in southern California territory.

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 June 8, 1960, the following revised tariff pages, which pages are attached hereto and by this reference are made a part hereof:

Fourteenth Revised Page 2
 Seventh Revised Page 7
 Fourth Revised Page 9-A
 Original Page 9-B
 Fifth Revised Page 41

2. In all other respects said Decision No. 32566, as amended, shall remain in full force and effect.
3. Except as is otherwise provided herein, the above-numbered petition in this matter be, and it hereby is, denied.

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

Dated at San Francisco, California, this 19th day of April, 1960.

[Signature]
 President

[Signature]

[Signature]

[Signature]
 Commissioners

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*Change, Decision No.

~~59983~~

EFFECTIVE JUNE 8, 1960

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

Correction No. 790

Item No.	SECTION NO. 2 - DISTANCE RATES
100	<p style="text-align: center;">DESCRIPTION OF SOUTHERN TERRITORY</p> <p>Southern Territory means the counties of Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, San Bernardino, Inyo and Mono.</p>
110	<p style="text-align: center;">DESCRIPTION OF NORTHERN TERRITORY</p> <p>Northern Territory means all of the other counties of the State not named in Item No. 100.</p>
*120-B Cancels 120-A	<p style="text-align: center;">INTERTERRITORIAL MOVEMENTS</p> <p>Where the movement originates within Southern Territory and terminates within Northern Territory, the distance rates applicable shall be those set forth in Item No. 130 in the column headed "Southern Territory," or in Items Nos. 135, 140 and #150.</p> <p>Where the movement originates within Northern Territory and terminates within Southern Territory, the distance rates applicable shall be those set forth in Item No. 130 in the columns headed "Northern Territory," or the rates in Item No. 148.</p>
125-D Cancels 125-C	<p style="text-align: center;">ALTERNATIVE APPLICATION OF DISTANCE RATES WITH COMBINATION RATES BASED UPON ZONE RATES IN SECTION NO. 3</p> <p>When the point of origin of a shipment is within one of the Los Angeles County, Orange County, San Bernardino-Riverside Counties, or Ventura County Production Areas or within San Diego County Production Area "I" defined in Section No. 3 of this tariff, and when the point of destination is outside of but the route of movement is through any of the Los Angeles County, Orange County, San Bernardino-Riverside Counties, Ventura County or San Diego County Delivery Zones defined in said section, the zone rates in Section No. 3 may be used as a basis for computing charges as follows:</p> <p>Add to the rate applicable for the transportation of a like shipment from the same point of origin to the last delivery zone passed through on the route of movement a rate of 10 cents per ton per mile for each mile or fraction thereof actually traversed from the point of departure from the last delivery zone to the point of destination.</p> <p>If the charge accruing under the distance rates in Items Nos. 130, 135 and 140 is lower than the charge accruing under the provisions of this rule on the same shipment between the same points, the charge accruing under said distance rates shall apply.</p>
* Change # Addition	Decision No. 50983
EFFECTIVE JUNE 6, 1960	
Issued by the Public Utilities Commission of the State of California, San Francisco, California.	
Correction No. 791	

Item No.	Δ SECTION NO. 2-DISTANCE RATES (Continued) In Cents per Ton						
	NORTHERN TERRITORY INTERPLANT DISTANCE RATES						
Miles		RATES (1)					
		Commodities as described in:					
Over	But Not Over	Item No. 144		Item No. 146			
		(18)	(22)	(8)	(13)	(18)	
	0	1	23	19	39	31	27
	1	2	26	22	45	36	31
	2	3	29	25	50	40	35
	3	4	32	28	56	45	39
	4	5	34	30	61	49	42
	5	6	38	33	67	54	46
	6	7	41	36	72	58	50
	7	8	45	39	78	63	54
	8	9	48	41	83	67	58
	9	10	51	44	89	72	62
	10	11	53	47	94	76	66
	11	12	56	50	100	81	70
	12	13	60	52	105	85	73
	13	14	64	55	110	89	77
	14	15	67	57	114	92	80
148	15	16	70	59	119	96	83
	16	17	73	61	123	99	86
	17	18	75	64	128	103	89
	18	19	77	66	132	107	92
	19	20	80	68	137	110	95
	20	21	83	71	141	114	98
	21	22	86	73	146	118	102
	22	23	89	75	151	122	105
	23	24	91	77	155	125	108
	24	25	94	79	160	129	111
	25	26	97	82	165	133	115
	26	27	100	84	169	137	118
	27	28	102	86	174	141	121
	28	29	105	88	179	144	124
	29	30	108	91	183	147	127
	30	31	111	93	188	151	130
	31	32	114	96	193	155	134
	32	33	116	98	197	159	137
	33	34	118	100	202	163	140
	34	35	120	102	206	166	143
	35	37	125	106	214	172	148
	37	39	130	110	222	179	154
	39	41	135	114	230	186	160
	41	43	139	118	238	192	165
	43	45	144	122	246	199	171

45	50	156	132	266	215	185
50	55	168	142	286	231	199
55	60	180	152	306	247	213
60	65	192	162	327	264	227
65	70	204	172	347	280	241
70	75	216	182	367	296	255
75	80	227	192	387	312	269
80	85	238	202	407	329	283
85	90	249	212	427	345	297
90	95	260	222	447	361	311
95	100	271	232	467	377	325
(2)		11	10	20	16	14

(1) Rates are subject to Items Nos. 96 and 142. Except as otherwise provided in Item No. 96 and in the explanation of (8), the minimum weight must be transported in one unit of equipment at one time.

(2) For each additional 5 miles, add to the rate for 100 miles the amount shown opposite this reference

(8) Minimum weight, 8 tons per shipment.

(13) Minimum weight, 13 tons.

(18) Minimum weight, 18 tons.

(23) Minimum weight, 23 tons.

Δ Change, neither increase nor reduction, Decision No. 59983

EFFECTIVE JUNE 8, 1960

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

Correction No. 792

Item No.	SECTION NO. 2 - DISTANCE RATES (Concluded) In Cents Per Ton			
	SOUTHERN TERRITORY INTERPLANT DISTANCE RATES			
Miles	RATES (1)			
	Commodities as described in Item No. 146			
Minimum Weight				
Over	But Not Over	8 Tons (Per Shipment)	(2) 13 Tons	(2) 18 Tons
10	11	94	76	66
11	12	100	81	70
12	13	105	85	73
13	14	110	89	77
14	15	114	92	80
15	16	119	96	83
16	17	123	99	86
17	18	128	103	89
18	19	132	107	92
19	20	137	110	95
20	21	141	114	98
21	22	146	118	102
22	23	151	122	105
23	24	155	125	108
24	25	160	129	111
25	26	165	133	115
26	27	169	137	118
27	28	174	141	121
28	29	179	144	124
29	30	183	147	127
30	31	188	151	130
31	32	193	155	134
32	33	197	159	137
33	34	202	163	140
34	35	206	166	143
35	37	214	172	148
37	39	222	179	154
39	41	230	186	160
41	43	238	192	165
43	45	246	199	171

#06150

45	50	266	215	185
50	55	286	231	199
55	60	306	247	213
60	65	327	264	227
65	70	347	280	241
70	75	367	296	255
75	80	387	312	269
80	85	407	329	283
85	90	427	345	297
90	95	447	361	311
95	100	467	377	325
(3)		20	16	14

(1) Rates are subject to Items Nos. 96 and 142.

(2) Except as otherwise provided in Item No. 96 and in connection with rates subject to minimum weight of eight (8) tons per shipment, the minimum weight must be transported in one unit of equipment at one time.

(3) For each additional 5 miles, add to the rate for 100 miles the amount shown opposite this reference.

Addition)
 ◊ Increase)
 ◊ Reduction)

Decision No. 59983

EFFECTIVE JUNE 8, 1960

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 793

Item No.	SECTION NO. 4	HOURLY RATES (Continued)			
*320-D Cancels 320-C	COMMODITIES				
	<p>Rates in this Section apply to the transportation of the following commodities:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <ul style="list-style-type: none"> oAsh, volcanic; ** Barium, clay or silicate mud compounds, dry, oil-well drilling; oCinders; ** Clay; Clinker, cement; Concrete: <ul style="list-style-type: none"> Asphaltic (commonly called "Hot Stuff"); Premixed, wet; Cullet (glass, broken or crushed); Debris: <ul style="list-style-type: none"> From street or highway maintenance; From demolition of buildings and structures; Earth; Fertilizer; Granite, decomposed; Gravel; Loam; Manure; Mixture, cold road oil (commonly called "Plant Mix"); Mud, dry, oilwell drilling; </td> <td style="vertical-align: top; width: 50%;"> <ul style="list-style-type: none"> Ore; oPumice; ** Salt cake (crude sulphate of soda); Sand; Sand, crushed stone and gravel, mixed dry; oScoria, volcanic; ** Shale; Slag; Slurry (mixed sand, dust, crushed stone and/or gravel, wet); (1) Soapstone, crude, blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides; Stone: <ul style="list-style-type: none"> Crushed, chips, waste; Natural, blocks, pieces or slabs, rough quarried, or sawed, not further finished; Talc, crude, blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides. </td> </tr> </table> <p style="text-align: center;">(1) Applies only in Northern Territory.</p>		<ul style="list-style-type: none"> oAsh, volcanic; ** Barium, clay or silicate mud compounds, dry, oil-well drilling; oCinders; ** Clay; Clinker, cement; Concrete: <ul style="list-style-type: none"> Asphaltic (commonly called "Hot Stuff"); Premixed, wet; Cullet (glass, broken or crushed); Debris: <ul style="list-style-type: none"> From street or highway maintenance; From demolition of buildings and structures; Earth; Fertilizer; Granite, decomposed; Gravel; Loam; Manure; Mixture, cold road oil (commonly called "Plant Mix"); Mud, dry, oilwell drilling; 	<ul style="list-style-type: none"> Ore; oPumice; ** Salt cake (crude sulphate of soda); Sand; Sand, crushed stone and gravel, mixed dry; oScoria, volcanic; ** Shale; Slag; Slurry (mixed sand, dust, crushed stone and/or gravel, wet); (1) Soapstone, crude, blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides; Stone: <ul style="list-style-type: none"> Crushed, chips, waste; Natural, blocks, pieces or slabs, rough quarried, or sawed, not further finished; Talc, crude, blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides. 	
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