

**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 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  
Petition for Modification  
No. 191

And related matters

) Cases Nos. 5330 (Petition  
) for Modification No. 14),  
) 5433 (Petition for  
) Modification No. 11), 5436  
) (Petition for Modification  
) No. 33), 5438 (Petition for  
) Modification No. 24), 5440  
) (Petition for Modification  
) No. 9), 5603 (Petition for  
) Modification No. 9), and  
) 5604 (Petition for  
) Modification No. 6).

SUPPLEMENTAL OPINION AND ORDER

By petitions for modification filed July 11, 1960, in the various minimum rate proceedings involved, California Trucking Associations, Inc., seeks an amendment to Distance Table No. 4 to establish certain constructive mileages to and from The Geysers, a point located in Sonoma County easterly of Cloverdale.

The Geysers is not included in Distance Table No. 4 as a named point, nor are the roads reaching The Geysers shown on the maps which constitute a portion of the distance table. The distance table specifies that under such circumstances the actual highway miles shall be used.

Petitioner alleges that the mileages so determined are unreasonable and insufficient, and that distance rates determined therefrom under the provisions of the various minimum rate tariffs are correspondingly unreasonable and insufficient. Petitioner states that

the necessity for providing appropriate constructive mileages from and to The Geysers has been accentuated by recent developments in the area.<sup>1</sup> 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 Geysers. Attached to the petition are suggested forms of revision to Distance Table No. 4. The constructive mileages to and from the points in question, petitioner states, are ascertainable from facts which are within the official knowledge of the Commission or which may be readily ascertained by its staff.

The most feasible method of amending Distance Table No. 4 at this time is by supplement setting forth the constructive mileages between The Geysers and certain points shown on the distance table maps. Appropriate constructive mileages, as set forth hereinafter, have been determined by engineers of the Commission's Transportation Division staff.

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

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<sup>1</sup> Commercial geo-thermal power generating facilities have been established at this location (See Decision No. 58243, dated April 7, 1959, in Application No. 40641) and resort facilities allegedly have been expanded in the area.

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 Code, 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. A public hearing is not necessary.

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 February 25, 1961, Supplement No. 7 attached hereto and by this reference made a part hereof.

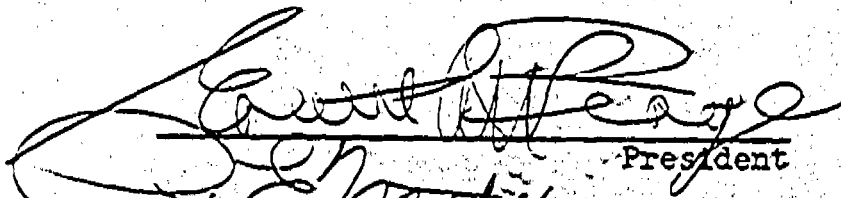
(2) That tariff publications required or authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, to become effective on not less than five days' notice to the Commission and to the public; and that such tariff publications as are required shall be made effective not later than February 25, 1961; 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.

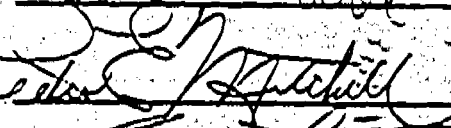
(3) That common carriers are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, Section 460 of the Public Utilities Code, and from the provisions of Tariff Circular No. 2 and General Order No. 80, to the extent necessary to carry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

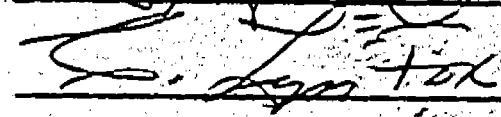
(4) That in all other respects said Decision No. 46022, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 4<sup>th</sup> day of January, 1961.

  
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President

  
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Commissioner

  
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Commissioner

Commissioners

SUPPLEMENT NO. 7

(Supplements Nos. 4, 5, 6 and 7 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 The Geysers (Sonoma County) are, and, for the future, will be:

<u>Between The Geysers (Sonoma County) and:</u>	<u>Constructive Mileages</u>
Preston	19.0
Alexander Valley	35.0
Geyserville	38.0

The above mileages shall be used as bases in determining the constructive mileages from and to The Geysers (Sonoma County).

Decision No.

61315

EFFECTIVE FEBRUARY 25, 1961

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