

Decision No. 62031

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 for Modification
 No. 72)

E. O. Blackman, for California Dump Truck Owners
 Association, petitioner.
Arlo D. Poe, J. C. Kaspar and James Quintrall, for
 California Trucking Associations, Inc.; George D.
Moe, for State Department of Public Works;
Alvord C. Estep, for California Division of
 Highways; Marshall A. Staunton, for North
 Central California Chapter, Associated General
 Contractors; E. H. Griffiths, for Santa Clara
 Sand and Gravel Co.; interested parties.
John F. Specht and R. J. Carberry, for the
 Commission staff.

O P I N I O N

By the above-entitled petition, filed March 6, 1961, the California Dump Truck Owners Association requests the Commission to revise Minimum Rate Tariff No. 7 by increasing the basic hourly rates in Section 4 of the tariff in the amount of 24 cents per hour in Southern California Territory and in the amount of 22 cents per hour in Northern California Territory, together with appropriate adjustments in "overtime" rates.

Public hearing of the petition was held before Examiner William E. Turpen at San Francisco on April 19, 1961.

In 1959 wage agreements effective over a three-year period were entered into by the collective bargaining agents of dump truck drivers and agents of employers. Copies of the written agreements

have been received in evidence in prior proceedings in Case No. 5437 as Exhibits 54-2 and 55-1.¹ These agreements provide that, effective May 1, 1961, wages for dump truck drivers will further increase by 21 and 19 cents per hour in southern territory and northern territory, respectively.

The increases in the rates proposed by petitioner are 16 percent, or three cents, more than the amount of the wage increases. The record shows that this 16 percent is to take into account the additional payroll costs represented by the State unemployment insurance, Federal social security, and compensation insurance. It also includes provision for a 93 percent operating ratio. The record also shows that the carriers have incurred other increases in costs for which no provision has been made in the proposal here, and that since the last adjustment of the hourly rates there have been no reductions in expenses. The Commission staff assisted in developing the record by cross-examination of witnesses.

Upon consideration of all of the facts and circumstances, we are of the opinion and find that the increases proposed herein are justified and are necessary to preserve adequate transportation service to the public. The petition will be granted.

O R D E R

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

IT IS 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 June 17, 1961, Sixteenth Revised Page 42, Eighth Revised Page 42-A and Fifth Revised Page 42-C, which revised pages are attached hereto and by this reference made a part hereof.

¹The agreements were incorporated into this record by reference.

In all other respects said Decision No. 32566, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 22nd day of MAY 1, 1961.

Charles W. Pease
President
W. L. Marshall
E. L. Fox
George H. Grover
Frederick B. Holmoff
Commissioners

Item No.	SECTION NO. 4			HOURLY RATES (Continued)								
	COMMODITIES, as described in Item No. 320 (Items Nos. 360, 361 and 362).											
	Level Capacity of Dump Truck Body in Cubic Yards. (See Note 1 in Item No. 362)		NORTHERN TERRITORY (See Item No. 110)									
			(1)(2) Rates in Cents per Hour (See Item No. 300)									
			Upper Northern District (See Item No. 315)									
	Over	But Not Over	Col. A			Col. B			Col. C			
			M	O	P	M	O	P	M	O	P	
0360	0	2	590	910	750	517	837	677	565	885	725	
	2	3	645	965	805	555	875	715	616	936	776	
	3	4	703	1023	863	594	914	754	668	988	828	
	4	5	772	1106	939	645	979	812	730	1064	897	
	5	6	826	1160	993	682	1016	849	777	1111	944	
	6	7	898	1253	1075	738	1093	915	843	1198	1020	
	7	8	941	1296	1118	770	1125	947	885	1240	1062	
	8	9	1017	1397	1207	826	1206	1016	950	1330	1140	
	9	10	1061	1441	1251	856	1236	1046	987	1367	1177	
	10	11	1102	1482	1292	884	1264	1076	1022	1402	1212	
	11	12	1141	1521	1331	910	1290	1100	1053	1433	1243	
	12	13	1176	1556	1366	934	1314	1124	1083	1463	1273	
	13	14	1207	1587	1397	955	1335	1145	1109	1489	1299	
	14	15	1236	1616	1426	975	1355	1165	1134	1514	1324	
	15	16	1262	1642	1452	992	1372	1182	1156	1536	1346	
	16	17	1286	1666	1476	1010	1388	1198	1176	1556	1366	
	17	18	1316	1696	1506	1032	1412	1222	1203	1583	1393	
	18	19	1335	1715	1525	1045	1425	1235	1218	1598	1408	
	19	20	1352	1732	1542	1056	1436	1246	1233	1613	1423	
	20	(3)	017	017	017	011	011	011	014	014	014	

- (1) Minimum charge shall be the rate for one hour.
- (2) For application of Columns A, B and C and Subcolumns M, O and P, see Item No. 362.
- (3) Add to the rate for 20 cubic yards capacity for each cubic yard or fraction thereof the amount shown opposite this reference mark.

(Continued in Items Nos. 361 and 362)

Increase, except as noted } Decision No. 62031
 No change

EFFECTIVE June 17, 1961

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

Correction No. 879

Item No.	SECTION NO. 4		HOURLY RATES (Continued)								
	COMMODITIES, as described in Item No. 320 (Items Nos. 360, 361 and 362).										
	Level Capacity of Dump Truck Body in Cubic Yards (See Note 1 in Item No. 362)		NORTHERN TERRITORY (See Item No. 110) (1)(2) Rates in Cents per Hour (See Item No. 300)								
			Lower Northern District (See Item No. 315)								
	But Over Not Over		Col. A			Col. B			Col. C		
			M	O	P	M	O	P	M	O	P
	0	2	599	931	765	526	858	692	563	895	729
	2	3	656	988	822	564	896	730	612	944	778
	3	4	712	1044	878	603	935	769	664	996	830
	4	5	770	1105	937	643	978	810	717	1052	884
	5	6	824	1159	991	680	1015	847	765	1100	932
	6	7	875	1210	1042	715	1050	882	811	1146	978
	7	8	923	1258	1090	747	1082	914	862	1197	1029
	8	9	974	1314	1144	783	1123	953	895	1235	1065
	9	10	1018	1358	1188	813	1153	983	939	1279	1109
◊361	10	11	1059	1399	1229	841	1181	1011	971	1311	1141
	11	12	1098	1438	1268	867	1207	1037	1002	1342	1172
	12	13	1141	1489	1315	899	1247	1073	1039	1387	1213
	13	14	1172	1520	1346	920	1268	1094	1065	1413	1239
	14	15	1199	1547	1373	940	1288	1114	1088	1436	1262
	15	16	1227	1575	1401	957	1305	1131	1108	1456	1282
	16	17	1273	1643	1458	995	1365	1180	1148	1518	1333
	17	18	1303	1673	1488	1019	1389	1204	1173	1543	1358
	18	19	1322	1692	1507	1032	1402	1217	1188	1558	1373
	19	20	1337	1709	1524	1043	1413	1228	1202	1572	1387
	20	(3)	017	017	017	011	011	011	014	014	014
<p>(1) Minimum charge shall be the rate for one hour. (2) For application of Columns A, B and C and Subcolumns M, O and P, see Item No. 362. (3) Add to the rate of 20 cubic yards capacity for each cubic yard or fraction thereof the amount shown opposite this reference mark.</p> <p>(Continued in Item No. 362)</p>											
◊ Increase, except as noted } ○ No change }			Decision No. 62031								
EFFECTIVE June 17, 1961											
Issued by the Public Utilities Commission of the State of California, San Francisco, California.											
Correction No. 88C											

Item No.	SECTION NO. 4	HOURLY RATES (Concluded)		
	<p>COMMODITIES, as described in Item No. 320.</p> <p>COLUMN "A" rates apply where the loading is performed by power loading device, excepting processed sand, gravel or crushed stone in stock piles at a commercial producing plant, at point of consumption or at intermediate point of transfer. A hopper chute or bunker shall not be deemed to be a power loading device.</p> <p>COLUMN "B" rates apply where the loading is performed by hand and where the average mileage of the vehicle does not exceed eight miles per hour for the period of time the vehicle is in use each day.</p> <p>COLUMN "C" rates apply where transportation or loading is under conditions other than described under application of Column "A" or Column "B" rates.</p>			
	Level Capacity of Dump Truck Body in Cubic Yards (See Note 1)	SOUTHERN TERRITORY (See Item No. 100) (1) Rates in Cents Per Hour (See Item No. 300) (See Note 2)		
0365		Column A	Column B	Column C
	Over But Not Over			
	0 3	631	506	625
	1 4	669	534	663
	2 5	712	554	694
	3 6	755	588	733
	4 7	798	625	771
	5 8	847	679	804
	6 9	890	717	841
	7 10	928	750	879
	8 11	966	781	917
	9 12	1014	828	955
	10 13	1057	852	998
	11 14	1094	879	1025
	12 15	1111	901	1052
	13 16	1149	947	1079
	14 17	1176	980	1106
	15 18	1203	1012	1133
	16 19	1230	1044	1160
	17 20	1257	1077	1187
	20 Add to rate for 20 cubic yards capacity for each cubic yard or fraction thereof --	027	032	027

(1) Minimum charge shall be the rate for one hour.

NOTE 1. -- Level capacity of Dump Truck body means the cubical content of the body in cubic yards calculated by multiplying the inside length by the average inside width and the average inside height of the sides of the body, including temporary side boards, if such boards are used, with no allowance for the crown of the load or for low head board or low tail gate.

In the case of a Dump Truck body not constructed for use of a tail gate (such as the so-called "rock body"), the inside length shall be deemed to mean the average of the measurement along the top of the sides from the inside of the head board to the point of the angle where the sides are diverted downward to meet the floor, and the measurement along the floor from the inside of the head board to the end of the body.

NOTE 2.-(a) For transportation service furnished under this item on Sundays and/or New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, the applicable hourly rate shall be \$3.98 an hour in excess of those set forth above.

(b) Except as otherwise provided by paragraph (a) of this Note, the applicable hourly rates for transportation furnished on Saturdays or during periods in excess of 8 hours in any one shift shall be \$2.10 an hour in excess of those set forth above.

◊ Increase, except as noted }
◊ No Change

Decision No.

62031

EFFECTIVE June 17, 1961

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

Correction No. 881