

**ORIGINAL**

65478

Decision No. \_\_\_\_\_

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 (com- )  
modities for which rates are pro- )  
vided in Minimum Rate Tariff No. 7).)

Case No. 5437  
(Petition for Modification  
No. 91)  
(Filed April 1, 1963)

OPINION AND ORDER

By this petition, the California Dump Truck Owners Association seeks modification of Minimum Rate Tariff No. 7 by the establishment of a new production area in Ventura County as well as zone rates for the transportation of rock, sand and aggregates therefrom to Ventura County delivery zones.

According to the petition, Southern Pacific Milling Co. has constructed a new sand and gravel plant in the vicinity of Saticoy and plans to ship thousands of tons of sand and gravel per month from this new facility. Petitioner states that Southern Pacific Milling Co. plans to market the commodities that are produced in the proposed production area in Ventura County and in adjacent Santa Barbara County using for-hire carriers for transportation from the new facility.

Petitioner alleges that zone rates for the proposed transportation of these materials are not now available; that the only

alternatives are mileage and hourly rates which both the shipper and carriers believe require costly supervision and contain uncertainties; that producers of the same commodities in the same marketing area now have zone rates available to them in Ventura County for similar transportation services; and that the establishment of zone rates from this facility would avoid rate discrimination. Petitioner declares that it believes the proposal to be a noncontroversial matter, and that the Commission has adequately established precedent for the establishment of the sought zone rates.

The petition specifies the proposed rates in detail, and includes traverse times, computations of the round-trip running times between said production area and Ventura County delivery zones, and a sketch and territorial description of the proposed production area. Petitioner states that the proposed rates are developed in accordance with the formula heretofore utilized in the development of similar zone rates in the Ventura County area.

Copies of the verified petition were mailed by petitioner, on or about March 28, 1963, to various contractors, shippers, carriers and other interested parties, including the California Trucking Association. No objection to its being granted has been received. The petition shows that it is supported by the shipper, Southern Pacific Milling Co.

It is clear from the facts recited in this petition that the establishment of zone rates as proposed would do no more than

provide, from a new point of production, rates of the same kind and character as are already available from established competing points of production in the same general area. To withhold or unnecessarily delay the establishment of the requested rates would be to deprive the affected shipper of rate bases heretofore established as reasonable for the competing shippers.

In the circumstances, it appears, and the Commission finds, that the proposed revisions are reasonable, and that the resulting minimum rates will be just, reasonable and nondiscriminatory minimum rates for the transportation of rock, sand and aggregates in dump trucks from the proposed production area hereinafter designated as Ventura County Production Area K to various Ventura County delivery zones, all as described in Minimum Rate Tariff No. 7. This is a matter in which a public hearing is not required. The petition will be granted.

Good cause appearing,

IT IS ORDERED that:

1. Minimum Rate Tariff No. 7 (Appendix "A" of Decision No. 32566, as amended) is hereby further amended by incorporating therein, to become effective July 13, 1963, Eighth Revised Page 27, Original Page 36-H and Ninth Revised Page 37 attached hereto and by this reference made a part hereof.

2. In all other respects said Decision No. 32566, 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 24th day of May, 1963.

*Carl E. Bickel* President  
*Carl E. Bickel* Acting President  
*Frederick B. Hilbluff*  
*William W. Bennett*  

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Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

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

Area No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued)
	<p>APPLICATION OF TARIFF-TERRITORIAL (Continued) VENTURA COUNTY-PRODUCTION AREAS</p>
A	<p>Production facilities located in Ventura County Delivery Zone No.35 at and adjacent to the point where the Southern Pacific Company tracks cross the Santa Clara River, on northerly bank of river, westerly of said tracks.</p>
B	<p>Production facilities within the following described area in Ventura County Delivery Zone No.35: Beginning at the intersection of the south bank of the Santa Clara River with the northerly prolongation of Central Avenue; southeasterly along the prolongation of Central Avenue to Vineyard Avenue; southwesterly along Vineyard Avenue to Corsicana Drive; northwesterly along a direct line to a point on the south bank of the Santa Clara River one-half (<math>\frac{1}{2}</math>) mile southwesterly of the point of beginning; northeasterly along the south bank of the Santa Clara River to the point of beginning.</p>
C	<p>Production facilities within the following described area in Ventura County Delivery Zone No. 36: Beginning at the intersection of the south bank of the Santa Clara River with Los Angeles Avenue; southeasterly along Los Angeles Avenue to Vineyard Avenue; southwesterly along Vineyard Avenue to Central Avenue; northerly along a direct line to a point on the south bank of the Santa Clara River one-half (<math>\frac{1}{2}</math>) mile westerly of the point of beginning; easterly along the south bank of the Santa Clara River to the point of beginning.</p>
E	<p>Production facilities within the following described area in Ventura County Delivery Zone No. 36-1: Beginning at the intersection of Riverside Drive and Santa Clara Street; southerly along Riverside Drive to the north bank of the Santa Clara River; westerly along the north bank of the Santa Clara River to its intersection with the southerly prolongation of Ojai Street; northerly along the prolongation of Ojai Street and Ojai Street to its intersection with the westerly prolongation of Santa Clara Street; easterly along the prolongation of Santa Clara Street and Santa Clara Street to the point of beginning.</p>
G	<p>Production facilities located adjacent to the westerly side of Ventura County Delivery Zone No. 49 within the following described area: The southeast one-quarter (<math>\frac{1}{4}</math>) of section 16 and the southwest one-quarter (<math>\frac{1}{4}</math>) of section 17, township 3 north, range 19 west, San Bernardino base and meridian.</p>
H	<p>Production facilities located adjacent to the westerly side of Ventura County Delivery Zone No. 45 within the following described area: The northeast one-quarter (<math>\frac{1}{4}</math>) of the northwest one-quarter (<math>\frac{1}{4}</math>) and lots 3 and 6 of section 26, township 3 north, range 20 west, San Bernardino base and meridian.</p>
I	<p>Production facilities within the following described area in Ventura County Delivery Zone No. 37: Beginning at the intersection of Todd Barranca (wash) and the Southern Pacific Company right-of-way; northeasterly along the Southern Pacific Company right-of-way to Driggs Road; southeasterly along the prolongation of Driggs Road to the north bank of the Santa Clara River; southwesterly along the north bank of the Santa Clara River to Todd Barranca (wash); northerly along Todd Barranca to the point of beginning.</p>

J

Beginning at a point on the west bank of the Ventura River 3200 feet north of the U.S. Highway 101 bridge across that river; thence due west 1000 feet; thence due north 1000 feet; thence due east 1000 feet; thence due south to the point of beginning.

\*K

An area on the east bank of the Santa Clara River approximately 6,600 feet upstream from the Saticoy Bridge (Los Angeles Avenue) and described as Lot 82 of the Rancho Santa Paula y Saticoy, in the County of Ventura, State of California, as per map thereof recorded in the office of the county recorder of said Ventura County in Book "A" of Miscellaneous Records, at Page 290.

\* Addition, Decision No.

65478

EFFECTIVE JULY 13, 1963

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

Correction No. 966

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)							
	MATERIAL, viz.:							
	Granite, decomposed, Gravel, Sand,	Stone, crushed, chips or waste, Stone, natural, blocks, pieces or slabs, rough quarried, Stone, natural, sawed, not further finished.						
	TO (1) Ventura County Delivery Zones	FROM (1) Ventura County Production Areas						
	A	B	C	E	I	J	*6K	
	10	108	113	122	118	133	92	128
	11	118	121	131	125	142	100	138
	12	101	104	116	109	126	85	122
	13	92	97	105	102	119	77	118
	14	84	88	96	108	108	68	108
	15	90	95	102	119	118	73	111
	16	77	84	92	109	108	67	104
	17	71	74	81	101	97	58	91
	18	68	70	74	92	88	47	83
	19	58	67	69	85	79	38	74
	20	53	64	69	80	77	30	70
	21	68	70	72	90	85	34	76
	22	71	72	80	100	95	48	88
	23	76	79	90	108	103	58	98
	24	103	107	118	100	116	86	124
	25	95	102	109	96	114	80	118
	26-A	104	109	119	92	108	91	128
	26-B	113	118	125	96	110	97	134
	27	118	118	108	75	93	105	122
	28	114	109	100	68	84	112	108
	29	100	95	85	56	68	121	96
	30	85	80	71	40	62	103	79
	31-A	50	58	66	78	74	45	70
	31-B	45	52	59	72	65	39	64
	32	46	53	62	74	69	48	64
	33	43	50	58	72	68	53	60
	34	38	47	51	69	66	47	58
	35	36	40	43	68	64	63	50
	36	48	44	37	59	56	67	35
	37	66	58	48	38	34	73	57
	38-A	71	69	65	31	46	87	69
	38-B	79	77	71	38	61	100	86
	38-C	84	78	71	38	59	100	75
	39-A	97	92	84	65	71	114	97
	39-B	93	90	79	58	68	111	89
	39-C	93	90	79	53	67	111	87
	39-D	104	101	91	68	74	122	98
	40-A	116	110	101	71	85	132	108
	40-B	122	118	108	75	91	138	115
	40-C	132	127	118	85	102	148	127
	41-A	127	124	117	81	99	147	123
	41-B	141	139	127	95	110	158	137
	42	65	56	46	72	69	121	50
	43	69	65	56	79	77	93	59
	44	76	70	68	72	86	117	61
	45	95	88	79	53	68	114	74
	46	84	75	71	71	88	112	65

4(2)  
240

(1) For descriptions of Ventura County Production Areas and Delivery Zones, see Pages 22 to 27, inclusive.

(2) Item No. 240 formerly appeared on Eighth Revised Page 37. Portion of the rates formerly shown in this item transferred to Item No. 241 on Ninth Revised Page 37.

∫ Change )  
\* Addition ) Decision No. 65478  
δ Reduction )

EFFECTIVE JULY 13, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 967

SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)							
Item No.	MATERIAL, viz.:						
	Granite, decomposed, Gravel, Sand,			Stone, crushed, chips or waste, Stone, natural, blocks, pieces or slabs, rough quarried, Stone, natural, sawed, not further finished.			
	TO (1) Ventura County Delivery Zones	FROM (1) Ventura County Production Areas					
	A	B	C	E	I	J	*6X
47	71	70	67	80	84	102	60
48-A	92	84	75	88	100	119	76
48-B	85	77	71	89	97	114	70
48-C	79	72	71	95	96	111	69
49	107	102	92	68	75	126	92
50	97	92	81	84	102	133	89
51-A	88	80	71	90	102	118	76
51-B	92	85	76	99	121	126	78
51-C	102	95	86	108	125	136	88
52	101	97	90	116	119	132	89
53-A	91	86	80	107	109	122	83
53-B	91	88	85	120	116	122	89
54	96	92	92	125	123	129	97
56	113	104	95	120	129	144	101
57	125	119	109	131	142	159	111
58-A	124	117	107	129	139	154	110
58-B	134	126	118	141	148	163	120
59-A	43	44	51	76	77	72	63
59-B	46	49	57	79	79	75	61
60	37	38	46	75	70	66	57
61	48	40	40	70	68	72	50
62	68	61	58	85	88	86	62
63	64	58	58	80	76	85	54
64-A	65	58	58	84	78	86	55
64-B	69	66	66	92	88	97	63
65	61	57	56	80	76	83	54
66	56	52	58	81	77	80	54
67	48	47	52	81	77	73	53
68	58	56	64	91	88	82	73
69	58	53	59	92	88	80	69
70	61	56	66	93	89	83	76
71	70	69	71	101	96	97	71
72	70	70	71	100	95	95	69
73	71	71	71	105	101	101	74
74	75	72	76	109	105	106	80
75	78	77	79	114	109	110	83
76-A	71	69	69	95	90	97	65
76-B	77	75	72	107	102	110	78
77	69	66	65	86	80	87	57
78	72	70	70	101	96	102	71
79-A	81	80	79	114	108	113	92
79-B	95	91	90	124	120	126	95
79-C	107	103	102	138	132	138	105
79-D	120	116	116	149	145	151	120
79-E	107	103	102	138	133	142	106
80-A	90	85	84	118	113	121	88
80-B	99	93	92	127	122	131	98

6(3)  
241

(1) For descriptions of Ventura County Production Areas and Delivery Zones, see Pages 22 to 27, inclusive.

(2) Item No. 240 formerly shown on this page transferred to Original Page 36-H.

(3) Rates shown in this item except those from Production Area K formerly appeared in Item No. 240 on Eighth Revised Page 37.

ø Change )  
\* Addition ) Decision No. 65478  
ò Reduction )

EFFECTIVE JULY 13, 1963

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San Francisco, California.  
Correction No. 968