

Decision No. 65481

**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 )	Case No. 5437
of all common carriers, highway )	
carriers and city carriers relating )	(Petition for Modification
to the transportation of sand, rock, )	No. 93)
gravel and related items (commodities) )	(Filed April 5, 1963)
for which rates are provided in )	
Minimum Rate Tariff No. 7). )	

OPINION AND ORDER

By this petition the California Dump Truck Owners Association seeks increases in the hourly rates in Minimum Rate Tariff No. 7 that apply for the transportation of rock products and other designated materials in dump truck equipment by highway permit carriers. <sup>1</sup> Separate scales of hourly rates are provided for Upper Northern District, Lower Northern District and Southern Territory. <sup>2</sup> The increases in the basic hourly rates which are sought herein are 27 cents per hour in Upper Northern District, 22 cents per hour in Lower Northern District and 11 cents per hour in Southern Territory. Conforming increases are also sought in the rates for transportation performed under premium pay conditions.

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<sup>1</sup> Effective December 29, 1962, the hourly rates herein involved were adjusted upward to compensate for increases in labor costs which went into effect June 27, 1962, and July 2, 1962. See Decision No. 64528 dated November 7, 1962, Petitions Nos. 85 and 86.

<sup>1</sup> Effective April 20, 1963, hourly rates in southern California were further adjusted to offset increased wage costs effective January 1, 1963, by Decision No. 65027 dated March 6, 1963.

<sup>2</sup> The State is divided into Southern and Northern Territories. Southern Territory is comprised of the counties of Santa Barbara, Los Angeles, Orange, San Diego, Imperial, Riverside, San Bernardino, Inyo and Mono. Northern Territory is comprised of the rest of the State not included in Southern Territory. Northern Territory, in turn, is divided into Lower Northern District, which consists of Kern and San Luis Obispo Counties, and Upper Northern District, which consists of the rest of Northern Territory.

During 1962 wage contracts for dump truck drivers were negotiated for the ensuing three-year period. Among other things, the contracts provide for specific wage and fringe benefit increases effective May 1, 1963, of 25½ cents per hour for dump truck drivers operating in Upper Northern District, 20 cents per hour in Lower Northern District and 10 cents per hour in Southern Territory. These contracts were received in evidence as Exhibits Nos. 85-4, 85-5 and 86-2, in Petitions Nos. 85 and 86 in Case No. 5437.

The proposed rate increases are sought as rate adjustments to compensate for the increases in wage costs. They represent the increased wage costs plus an allowance for carriers' profit (before provision for income taxes) as indicated by an operating ratio of 93 percent. Assertedly there have been no decreases in the carriers' operating costs which would otherwise offset the increase in wage costs.

The Departments of Finance and Public Works of the State of California, interested shipper organizations, and the California Trucking Association have been apprised of petitioner's proposals. No objections to the granting of the sought increases have been received.

Based upon the evidence of record, we find that the rate adjustments proposed by petitioner will provide just, reasonable and nondiscriminatory minimum rates for the transportation herein involved. A public hearing is not necessary. The petition will be granted.

Good cause appearing,

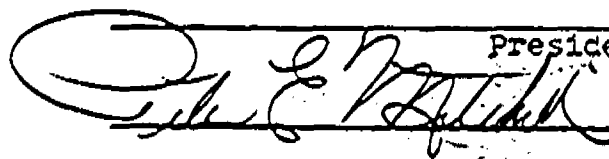


IT IS ORDERED that:

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, Eighteenth Revised Page 42, Tenth Revised Page 42-A and Tenth Revised Page 42-C, which pages are 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.

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

Dated at San Francisco, California, this 28<sup>th</sup> day of May, 1963.

  
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President  
  
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Acting President  
  
\_\_\_\_\_  
Commissioners

Commissioner George G. Crowor, 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.

Cancels

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)								
		Column A			Column B			Column C		
Over	But Not Over	M	O	P	M	O	P	M	O	P
0	2	654	1025	839	581	952	766	629	1000	814
2	3	709	1080	894	619	990	804	680	1051	865
3	4	767	1138	952	650	1029	843	732	1103	917
4	5	826	1206	1016	701	1079	889	786	1164	974
5	6	882	1260	1070	738	1116	926	835	1211	1021
6	7	954	1353	1152	794	1193	992	899	1296	1097
7	8	997	1396	1195	826	1225	1024	941	1340	1139
8	9	1073	1497	1284	882	1306	1093	1006	1430	1217
9	10	1117	1541	1328	912	1336	1123	1043	1467	1254
10	11	1158	1582	1369	940	1364	1153	1078	1502	1289
11	12	1197	1621	1408	966	1390	1177	1109	1533	1320
12	13	1237	1665	1451	995	1423	1209	1144	1572	1358
13	14	1268	1696	1482	1016	1444	1230	1170	1598	1384
14	15	1297	1725	1511	1036	1464	1250	1195	1623	1409
15	16	1323	1751	1537	1053	1481	1267	1217	1645	1431
16	17	1360	1801	1580	1084	1523	1302	1250	1691	1470
17	18	1390	1831	1610	1106	1547	1326	1277	1713	1497
18	19	1409	1850	1629	1119	1560	1339	1292	1733	1512
19	20	1426	1867	1646	1130	1571	1350	1307	1748	1527
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, the amount shown opposite this reference mark for each additional cubic yard or fraction thereof. (Continued in Items Nos. 361 and 362)										
◇ Increase, except as noted ) ○ No change		Decision No. 65481								
EFFECTIVE JULY 13, 1963										
Issued by the Public Utilities Commission of the State of California, San Francisco, California.										
Correction No. 963										

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	Column A			Column B			Column C			
	M	O	P	M	O	P	M	O	P	
0	2	639	1010	824	566	937	751	603	974	788
2	3	696	1067	881	604	975	789	652	1023	837
3	4	752	1123	937	643	1014	828	704	1075	889
4	5	810	1184	996	683	1057	869	757	1131	943
5	6	864	1238	1050	720	1094	906	805	1179	991
6	7	915	1289	1101	755	1129	941	851	1225	1037
7	8	963	1337	1149	787	1161	973	902	1276	1088
8	9	1014	1393	1203	823	1202	1012	935	1314	1124
9	10	1058	1437	1247	853	1232	1042	979	1358	1168
10	11	1099	1478	1288	881	1260	1070	1011	1390	1200
11	12	1138	1517	1327	907	1286	1096	1042	1421	1231
12	13	1181	1568	1374	939	1326	1132	1079	1466	1272
13	14	1212	1599	1405	960	1347	1153	1105	1492	1298
14	15	1239	1626	1432	980	1367	1173	1128	1515	1321
15	16	1267	1654	1460	997	1384	1190	1148	1535	1341
16	17	1313	1722	1517	1035	1444	1239	1188	1597	1392
17	18	1343	1752	1547	1059	1468	1263	1213	1622	1417
18	19	1362	1771	1566	1072	1481	1276	1228	1637	1432
19	20	1377	1788	1583	1083	1492	1287	1242	1651	1446
20	21	1394	1805	1600	1094	1503	1298	1256	1665	1460
21	22	1411	1822	1617	1105	1514	1309	1270	1679	1474
22	23	1428	1839	1634	1116	1525	1320	1284	1693	1488
23	24	1445	1856	1651	1127	1536	1331	1298	1707	1502
24	25	1462	1873	1668	1138	1547	1342	1312	1721	1516
25	26	1502	1936	1720	1172	1604	1388	1349	1781	1565
26	(3)	017	017	017	011	011	011	014	014	014

0361

- (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 26 cubic yards capacity, the amount shown opposite this reference mark for each additional cubic yard or fraction thereof.

(Continued in Item No. 362)

( Increase, except as noted ) Decision No. 65481  
 o No change

EFFECTIVE JULY 13, 1963

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

Correction No. 964

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	Over	But Not Over	Column A	Column B	Column C
	0	3	671	546	665
	3	4	709	574	703
	4	5	752	594	734
	5	6	795	622	773
	6	7	838	665	811
	7	8	887	719	844
	8	9	930	757	881
	9	10	968	790	919
	10	11	1006	821	957
	11	12	1054	868	995
	12	13	1097	892	1038
	13	14	1124	919	1065
	14	15	1151	941	1092
	15	16	1189	987	1119
	16	17	1216	1020	1146
	17	18	1243	1052	1173
	(2)18	-	-	-	1200
	(3)18	19	1270	1084	
	(3)19	20	1297	1117	
	(3)20	21	1324	1149	
	(3)21	22	1351	1181	
	(3)22	23	1378	1213	
	(3)23	24	1405	1245	
	(3)24	25	1432	1277	
	(3)25	26	1482	1332	
	(3)26	(4)	027	032	

C. 5437 (Pct. 93)\*

- (1) Minimum charge shall be the rate for one hour.
- (2) Applies only in connection with rates in Column C.
- (3) Does not apply in connection with rates in Column C.
- (4) Add to the rate for 26 cubic yards capacity, the amount shown opposite this reference mark for each additional cubic yard or fraction thereof.

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, add to the applicable hourly rate shown above:  $\$4.55$  per hour when the level capacity is less than 25 cubic yards;  $\$5.01$  per hour when the level capacity is 25 cubic yards or more.

(b) Except as otherwise provided in paragraph (a) of this note, for transportation service furnished under this item on Saturdays or during periods in excess of 8 hours in any one shift, add to the applicable hourly rate shown above:  $\$2.46$  per hour when the level capacity is less than 25 cubic yards;  $\$2.81$  per hour when the level capacity is 25 cubic yards or more.

◇ Increase, except as noted }  
○ No change

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San Francisco, California.  
Correction No. 965