

ORIGINALDecision No. 66682

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. 37
 (Filed November 26, 1963)

OPINION AND ORDER

Minimum Rate Tariff No. 7 provides rates for the transportation of specified commodities in bulk in dump truck equipment. By this petition Ideal Cement Company seeks the addition of pyrite cinders to the commodities for which certain distance rates provided in the tariff are applicable. This commodity is presently subject to class rates in Minimum Rate Tariff No. 2.

Petitioner states that pyrite cinders is a residual product following manufacture of sulfuric acid, weighing from 93 to 110 pounds per cubic foot, and having a value of \$5.62 per net ton F.O.B. Martinez, California. Petitioner transports this material to its cement mill at San Juan Bautista, where it uses approximately 4,000 tons per year. Petitioner also states that the pyrite cinders move in dump trucks at an average weight of more than 50,000 pounds per load.

Petitioner points out that the Commission, by Decision No. 64604, dated December 4, 1962, in Case No. 5437 (Petition

No. 87), added dead burned dolomite and mill scale to the list of commodities named in Item No. 130, and that both of these commodities are rated the same or higher than pyrite cinders in the Western Classification, and have higher values.

Petitioner also avers that in the event the sought rate relief is not secured it is giving consideration to obtaining its own trucking equipment to move this commodity from the nearest railhead to San Juan Bautista.

The petition shows that on or about November 20, 1963, copies thereof were served on the California Trucking Association and California Dump Truck Owners Association. No objection to its being granted has been received.

In the circumstances, it appears, and the Commission finds, 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.

Therefore, 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 February 29, 1964, Thirteenth Revised Page 8, which revised page is 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 21st day of JANUARY, 1964.

William L. Bennett
President
George L. Trover
Fredrick B. Holloff
Commissioners

Item No.	SECTION NO. 2		DISTANCE RATES (Continued) In Cents per Ton	
	MATERIAL, viz.: (1)			
	Granite, decomposed, Gravel, Sand, Stone, crushed, chips, waste, Stone, natural, blocks, pieces or slabs, rough quarried, Stone, natural, sawed, not further finished, Barium, clay or silicate mud compounds, dry, oilwell drilling,		Cement clinker, Clay, Cullet (glass, broken or crushed), Dolomite, dead-burned, Earth, Loam, Mill scale, Mud, dry, oilwell drilling, *Pyrite cinders, Shale, Slag.	
	Between Points in Territories as Shown (See Items Nos. 100, 110 and 120).			
	Miles		Northern Territory Rates (2) (3)	
	Over	But Not Over	Minimum Weight in Tons	
			See Item 50	23(4)
	0	1	22	30
	1	2	27	35
	2	3	34	38
	3	4	39	43
	4	5	44	47
130	5	6	49	52
	6	7	56	55
	7	8	61	60
	8	9	66	64
	9	10	71	67
	10	11	80	72
	11	12	80	76
	12	13	87	79
	13	14	87	83
	14	15	95	86
	15	16	95	91
	16	17	103	95
	17	18	103	98
	18	19	110	102
	19	20	110	106
	20	21	119	110
	21	22	119	114
	22	23	119	118
	23	24	128	121
	24	25	128	125
	25	26	128	128
	26	27	138	132
	27	28	138	137
	28	29	138	140
	29	30	138	144

30	31	155	148	126
31	32	155	151	129
32	33	155	155	133
33	34	155	158	136
34	35	155	162	139
35	37	173	168	145
37	39	173	174	150
39	40	173	180	155
40	41	191	180	155
41	43	191	186	161
43	45	191	192	167
45	50	208	206	180
50	55	228	221	192
55	60	244	235	204
60	65	261	250	216
65	70	279	264	228
70	75	296	278	240
75	80	314	293	252
80	85	332	306	264
85	90	350	319	276
90	95	368	332	288
95	100	384	346	300
100	(See Note)			
NOTE: Add to rate for 100 miles for each 5 miles or fraction thereof		18	13	12

- (1) Rates do not apply on commodities described in Item No. 146.
- (2) Rates apply only as follows:
- (a) From a commercial producing plant, a railhead, or a distributing yard (See Items Nos. 10 and 11); or
 - (b) To a cement, ceramic or glass factory, a hot plant, a distributing yard, or a railhead (See Items Nos. 10 and 11).
- (3) Rates are subject to Item No. 96.
- (4) Except as otherwise provided in Item No. 96, the minimum weight must be transported in one unit of equipment at one time.

∅ Change)
* Addition) Decision No.

66682

EFFECTIVE FEBRUARY 29, 1964

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

Correction No. 983