

ORIGINAL

Decision No. 66863

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 No. 95  
(Filed October 24, 1963)

OPINION AND ORDER

California Dump Truck Owners Association seeks enlargement of the area which is defined in Minimum Rate Tariff No. 7 as Ventura County Production Area E. Said area is located in the City of Santa Paula along the north bank of the Santa Clara River. Enlargement of the area is sought in order that shipments of rock products and related commodities from recently established facilities of Asbury Rock Products and of Hooker Paving Materials for the production of rock products and asphaltic concrete may be subject to the same zone rates that apply as minimum from present Production Area E.

Enlargement of Production Area E as petitioner requests would more than triple the size of the present area. However, petitioner alleges that the transportation conditions applicable to the delivery of rock products from the new facilities of Asbury Rock Products and of Hooker Paving Materials are so similar to those applicable to deliveries from present Production Area E that equity would be best served by enlargement of the production area to include

the new facilities. Petitioner also alleges that mileage and hourly rates which, in the absence of zone rates, apply to shipments from said facilities are not satisfactory bases of transportation charges for the traffic involved. It points out that other producers of rock products serving the same marketing areas in Ventura County as will be served by Asbury Rock Products and Hooker Paving Materials now are able to ship at zone rates. It asserts that the zone system of rates should be extended to the new facilities in order to avoid undue rate discrimination against the shipments from said facilities.

An inspection of the areas involved was made by a representative of the Transportation Division of the Commission's staff. The report on this inspection is incorporated in the record in this matter as Exhibit No. 1. In the report the staff's representative proposes boundaries for the enlarged area which are different in some respects than those proposed by petitioner. The changes in boundary are recommended for purposes of clarity. Said changes are acceptable to petitioner.

It is clear from the petition that the enlargement of Ventura County Production Area E would do no more than provide, from the new rock products and asphaltic concrete producing facilities in the enlarged area, rates of the same kind and character as are already available from established competing points of production in the same general area. To deny the enlargement of Production Area E would be to deprive the affected shippers of a basis of rates heretofore established as reasonable for competing shippers. It appears that from the carriers' point of view the enlargement of

the area is justified by similarity of transportation conditions between the present area and the area to be added.

In the circumstances the Commission finds that, subject to the modifications in boundaries recommended by the representative of the Commission's Transportation Division, the enlargement of Ventura County Production Area, as proposed by the California Dump Truck Owners Association, has been shown to be justified, and that said action will result in the application of just, reasonable and non-discriminatory minimum rates and charges to the transportation of rock products and related commodities from the added area. The petition will be granted. Public hearing thereon is not necessary.

Therefore, good cause appearing,

IT IS ORDERED that

1. Minimum Rate Tariff No. 7 (Appendix "A" to Decision No. 32566, as amended) is further amended by incorporating therein, to become effective April 4, 1964, Tenth Revised Page 27, which revised page is attached hereto and by this reference is 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

25th day of FEBRUARY, 1964.

William L. Bennett  
President  
George T. Crover  
Fredrick B. Halali  
Commissioners

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>
D	<p>Beginning at the intersection of State Route No. 126 and Ojai Street in the City of Santa Paula; easterly along State Route No. 126 to a point three-tenths (.3) mile easterly of the eastern end of the bridge over Santa Paula Creek; thence due south along a direct line to the north bank of the Santa Clara River; westerly along the north bank of the Santa Clara River to the intersection of the southerly prolongation of Ojai Street; northerly along the prolongation of Ojai Street and Ojai Street to the point of beginning.</p>
E	<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 18 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 28, 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 Briggs Road; southeasterly along the prolongation of Briggs 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.

L

Lot 13 of parcel 500-110-01 and lot 14 of parcel 500-160-01 of the Epworth tract, Rancho Simi, township 3 north, range 19 west, as shown on book 3, page 36 of maps of the county recorder's office of Ventura County.

Change, Decision No. 66863

EFFECTIVE APRIL 4, 1964

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

Correction No. 295