

ORIGINALDecision No. 67399

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. 100)
 (Filed February 2, 1964;
 Amended May 28, 1964)

OPINION AND ORDER

By the above-numbered petition, the California Dump Truck Owners Association seeks modification of Minimum Rate Tariff No. 7 by the establishment of asphaltic concrete zone rates from Ventura County Production Area J to various Ventura County delivery zones, and by amendment of the description of said Production Area J.

According to the petition, the Commission, in Decision No. 60807, dated October 4, 1960, established Production Area J in Ventura County and promulgated zone rates therefrom on rock, sand and gravel. Southern Pacific Milling Company, which maintains production facilities adjacent to said Production Area J, at that time did not operate facilities for the production of asphaltic concrete. Petitioner states that recently Southern Pacific Milling Company has constructed an asphaltic concrete plant and is shipping asphaltic concrete by for-hire dump truck carriers. The description of Production Area J is proposed to be amended to include the facilities of Southern Pacific Milling Company.

Petitioner alleges that zone rates on asphaltic concrete are not now available; that the only alternatives are mileage and hourly rates which both shippers and carriers believe require costly supervision and contain uncertainties; that producers of the same commodities in the same marketing area now have zone rates in Ventura County for similar transportation service; and that the establishment of zone rates from this facility would avoid rate discrimination.

The petition specifies the proposed rates in detail. It also includes a computation of the round-trip running times from Ventura County Production Area J to Ventura County delivery zones. Petitioner states that the proposed zone rates are computed in accordance with the existing formula for the development of asphaltic concrete zone rates in the Ventura County area.

The petition shows that it is supported by the affected shipper, Southern Pacific Milling Company, and by the Southern California Rock Products Association. Copies of the petition were mailed to various shippers, carriers and other interested parties, including the California Trucking Association, on or about January 31, 1964. No objection to its being granted has been received.

It is clear from the facts recited in this petition that the establishment of asphaltic concrete zone rates as proposed would do no more than provide, from a new point of production, rates of the same kind and character as those 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 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 asphaltic concrete in dump trucks from Ventura County Production Area J 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 25, 1964, Eleventh Revised Page 27, Eighth Revised Page 38-0 and First Revised Page 38-0-1, 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.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 16th day of JUNE, 1964.

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

President
George H. Brown
Fredrick B. Hallock
Commissioners

Area No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES (Continued)
	<p style="text-align: center;">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 ($\frac{1}{2}$) 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 ($\frac{1}{2}$) 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>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>
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 ($\frac{1}{4}$) of section 18 and the southwest one-quarter ($\frac{1}{4}$) 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 ($\frac{1}{4}$) of the northwest one-quarter ($\frac{1}{4}$) 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>

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Beginning at a point 3200 feet due north of California Highway Commission Bench Mark 2 located on the west end of the old bridge No. 52-06 crossing the Ventura River on old Highway 101; thence due west a distance of 1000 feet; thence due north a distance of 2500 feet; thence due east a distance of 1500 feet; thence due south 2500 feet; thence due west a distance of 1000 feet to the point of beginning.

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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 Pauly 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.

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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. **67399**

EFFECTIVE JULY 25, 1964

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

Correction No. 1000

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)							
	MATERIAL, viz.:							
	Asphaltic Concrete (commonly called "Hot Stuff"), Cold Road Oil Mixture (commonly called "Plant Mix").							
	TO (1)Ventura County Delivery Zones	FROM (1)Ventura County Production Areas						
		A	B	C	E	I	*0J	L
	10	160	165	177	172	188	138	270
	11	171	176	188	183	200	148	280
	12	149	156	167	161	178	127	259
	13	137	145	157	150	167	118	248
	14	126	132	143	160	159	106	230
	15	134	140	151	173	171	113	249
	16	119	126	137	161	160	97	235
285	17	107	112	124	149	143	85	222
	18	96	100	112	137	131	72	207
	19	85	92	102	127	121	59	195
	20	81	86	98	123	116	46	189
	21	93	98	110	135	129	55	202
	22	105	110	123	147	140	67	214
	23	116	122	134	160	152	79	225
	24	152	159	171	148	160	129	247
	25	141	150	162	143	162	122	239
	26-A	156	161	173	138	156	136	236
	26-B	164	171	181	143	160	144	236
	27	171	171	160	144	132	154	217
	28	166	162	148	103	120	165	201
	29	147	141	129	86	103	176	187
	30	129	123	109	64	82	153	163
	31-A	77	83	94	120	112	70	187
	31-B	68	75	86	111	105	62	176
	32	69	76	89	112	106	74	183
	33	66	72	85	110	104	78	174
	34	62	68	77	100	94	72	164
	35	58	64	65	94	89	92	149
	36	71	68	60	85	78	104	136
	37	91	85	72	62	56	113	154
	38-A	106	104	92	50	69	131	146
	38-B	122	119	106	60	82	147	138
	38-C	126	120	107	57	78	147	118
	39-A	144	138	126	91	111	168	127
	39-B	139	134	122	82	103	163	117

39-C	139	135	122	71	93	163	107
39-D	156	149	136	92	112	177	119
40-A	167	163	149	105	126	191	134
40-B	177	172	160	114	136	199	144
40-C	190	185	172	127	148	213	161
41-A	186	180	170	125	146	211	154
41-B	203	199	185	141	163	226	169
42	90	80	68	111	105	131	111
43	99	91	80	121	118	139	99
44	116	107	95	111	129	155	104
45	141	132	121	82	104	168	118
46	126	113	100	109	131	164	87

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

∅ Change)
 * Addition) Decision No. **67399**
 6 Reduction)

EFFECTIVE JULY 25, 1964

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 1001

Item No.	SECTION NO. 3 - RATES FROM PRODUCTION AREAS TO DELIVERY ZONES IN CENTS PER TON (Continued)						
MATERIAL, viz.: Asphaltic Concrete (commonly called "Hot Stuff"), Cold Road Oil Mixture (commonly called "Plant Mix").							
	TO (1) Ventura County Delivery Zones	FROM (1) Ventura County Production Areas					
		A	B	C	E	I	*6J L
47	108	99	89	123	126	151	89
48-A	137	126	114	131	148	174	66
48-B	129	119	107	133	144	167	66
48-C	122	112	100	140	143	163	84
49	158	151	137	95	114	183	92
50	145	138	125	126	157	192	60
51-A	131	123	109	135	148	173	70
51-B	137	129	116	146	153	183	75
51-C	151	141	130	160	166	195	87
52	149	144	135	168	173	191	87
53-A	136	130	123	158	162	178	84
53-B	136	131	129	175	168	177	105
54	143	138	137	183	179	187	117
56	164	156	140	174	181	207	97
57	183	173	161	189	200	227	121
58-A	180	170	158	187	191	221	113
58-B	192	184	171	202	205	233	126
59-A	65	63	72	116	109	111	159
59-B	70	69	77	121	113	114	157
60	59	59	66	114	108	102	143
61	69	62	62	106	99	111	123
62	90	86	82	129	122	129	113
63	85	82	78	123	116	127	107
64-A	84	81	77	126	120	129	123
64-B	97	93	91	138	132	145	135
65	83	80	75	123	116	126	131
66	78	75	76	124	118	121	137
67	71	69	76	125	119	113	151
68	87	84	93	137	131	124	167
69	83	76	85	137	132	121	154
70	86	82	89	139	133	126	154
71	103	99	104	149	143	144	156
72	102	97	103	148	141	142	152
73	108	105	109	157	149	149	159
74	114	111	116	162	156	156	165

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75	120	118	122	166	160	162	168
76-A	103	96	94	141	135	144	119
76-B	119	113	110	158	150	161	105
77	92	86	83	130	123	132	113
78	110	105	102	149	143	152	134
79-A	125	123	121	166	160	166	147
79-B	141	136	134	180	174	183	167
79-C	159	152	150	198	190	198	179
79-D	174	167	167	214	207	215	191
79-E	159	152	150	198	193	204	152
80-A	134	129	126	172	165	176	138
80-B	146	139	138	185	178	188	144

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

ø Change)
 * Addition) Decision No. **67399**
 o Reduction)

EFFECTIVE JULY 25, 1964

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 1002