

ORIGINAL

Decision No. 68827

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

ELLIS INTERSTATE CORPORATION,)

a Corporation, for authority to continue)
to charge less than minimum rates,)
pursuant to Section 3666 of the Public)
Utilities Code, for the transportation)
of iron ore for Riverside Cement Company)
from Iron Age Mine to Oro Grande and)
Crestmore, California.)

Application No. 47386
(Filed March 3, 1965)

OPINION AND ORDER

Ellis Interstate Corporation, a corporation, holds a highway contract carrier permit.¹ By Decision No. 66906 dated March 3, 1964, in Application No. 45894, Ellis Transportation Co., Inc. (predecessor to applicant),² was authorized, as a highway contract carrier, to assess a rate less than the minimum rate otherwise applicable for the transportation of iron ore for the Riverside Cement Company, a division of the American Cement Corporation, from the Iron Age Mine located 27.3 miles east of Twentynine Palms to that company's plant at Oro Grande. Subsequently, by Decision No. 68511 dated January 19, 1965, in Application No. 47146, the authority was broadened to include Riverside Cement Company's newly constructed facility at Crestmore. The current authority is scheduled to expire March 31, 1965. By this application, authority is sought to continue the current authorization for a further one-year period.

¹ Applicant also possesses certificates to operate as a petroleum irregular route carrier and cement carrier. These certificated operating authorities are not involved herein.

² The highway contract carrier permit was transferred to the new corporation, Ellis Interstate Corporation, on December 9, 1964.

Applicant states that the shipper desires to use its services under the proposed rate for the transportation of iron ore from the mine to Oro Grande and Crestmore rather than inaugurate proprietary operations. It is further stated that the actual volume of traffic for such transportation has exceeded that originally anticipated. Applicant asserts that it has proven that the operations in question are profitable and that plans of further economy are constantly being developed.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable in the future.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on March 2, 1965. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rate is reasonable for the transportation involved. A public hearing is not necessary. The application should be granted.

In view of the impending expiration date of the current authority, the order which follows will be made effective March 31, 1965.

IT IS ORDERED that:

1. Ellis Interstate Corporation, a corporation, is hereby authorized, as a highway contract carrier, to transport iron ore for the Riverside Cement Company, a division of the American Cement Corporation, from Iron Age Mine located 27.3 miles due east of Twentynine Palms to the plants of the Riverside Cement Company at Oro Grande and Crestmore at a rate less than the minimum rates otherwise applicable but not less than the rate set forth in and subject to the

conditions shown in Appendix A, attached hereto and by this reference made a part hereof.

2. The authority granted herein shall, on and after March 31, 1965, supersede the authority granted by Decisions Nos. 66906 and 68511 and shall expire with March 31, 1966.

This order shall become effective March 31, 1965.

Dated at San Francisco, California, this 30th day of March, 1965.

Fredrick B. Holbrook
President
John E. ...
George H. Grover
...
William B. ...
Commissioners

APPENDIX A TO DECISION NO. 68827

ELLIS INTERSTATE CORPORATION

Schedule of Minimum Rates for the
Transportation of iron ore for the
Riverside Cement Company, a division
of the American Cement Corporation

Section 1

Item 10 - Application of Rate - General

The minimum rates, rules and regulations set forth in Minimum Rate Tariff No. 2 are applicable to the transportation of iron ore, except as specifically provided in Section 2.

Section 2

Item 20 - The rate in this section applies to the transportation of iron ore in bulk in dump truck equipment from the Iron Age Mine, located 27.3 miles due east of Twentynine Palms, to the plant of the Riverside Cement Company at Oro Grande or at Crestmore.

Item 30 - Minimum Weight

The rate in this section is subject to a minimum weight of 20 tons per shipment. The minimum weight shall be transported in one unit of equipment at one time.

Item 40 - Minimum Tonnage per Calendar Month

The rate in this section is subject to a minimum tonnage of 750 tons per calendar month for shipments to Oro Grande and 750 tons per calendar month for shipments to Crestmore.

Item 50 - Loading

The rate in this section applies only when carrier's equipment is loaded by the consignor.

Item 60 - Commodity Rate

\$4.15 per ton.

(End of Appendix A)