

ORIGINALDecision No. 69709

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
 (Order Setting Hearing
 Dated April 21, 1964)

and

Case No. 5437
 Petition for Modification
 No. 108
 (Filed October 16, 1964)

ORDER AMENDING DECISION AND DENYING REHEARING

Petitions for Rehearing of Decision No. 69567 issued August 17, 1965 in these proceedings have been filed by California Asphalt Plant Association and California Fertilizer Association.^{1/}

California Plant Association points out in its petition that the tariff pages appended to the order in Decision No. 69567 fail to carry out the intent expressed in the opinion that certain types of rates on asphaltic concrete and cold road oil mixture should continue to alternate, pending a decision by the Commission in the phase of its Order Setting Hearing dated March 24, 1959 in Case No. 5437 dealing with said commodities.

California Fertilizer Association urges in its petition that hourly rates in Southern Territory should not apply to transportation of fertilizer and manure pending a decision by the Commission in Petition No. 113 in Case No. 5437, in which that association, as petitioner, seeks the exemption of said commodities from Minimum Rate Tariff No. 7.

^{1/} The petition of California Fertilizer Association was jointly filed by California Chemical Company, Collier Carbon and Chemical Corporation, Shell Chemical Company and Stauffer Chemical Company.

The Commission has considered said Petitions for Rehearing of Decision No. 69567 and concludes that Minimum Rate Tariff No. 7 should be amended as set forth in the following order and that said petitions should be denied. Inasmuch as the tariff pages appended to Decision No. 69567 are effective October 16, 1965, the tariff pages appended to this order will be made effective October 16, 1965, and the order herein will be made effective on the date of issuance.

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 October 16, 1965, Third Revised Page 10 and Sixth Revised Page 39, 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.

3. Petitions for Rehearing of Decision No. 69567 filed by the California Plant Association and the California Fertilizer Association are hereby denied.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this

21st day of SEPTEMBER, 1965.

Fredrick B. Hallock
President

John E. Mitchell

George C. Troder

August

William L. Bennett
Commissioners

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MINIMUM RATE TARIFF NO. 7

SECTION NO. 3

RATES FROM PRODUCTION AREAS
TO DELIVERY ZONES

Ø1. Rates in Sections Nos. 2 and 4 will not apply to transportation for which rates are provided in this Section.

Exception:-Does not apply to transportation of asphaltic concrete and cold road oil mixture under rates in Section No. 4 of this tariff from production areas to delivery zones described in Southern California Production Area and Delivery Zone Directory 1.

Ø Change, Decision No. 69709

EFFECTIVE OCTOBER 16, 1965

Issued by the Public Utilities Commission of the State of California,
San Francisco, California
Correction No. 1145

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Fifth Revised Page 39
and
Fourth Revised Page 39

MINIMUM RATE TARIFF NO. 7

SECTION NO. 4

HOURLY RATES

- ∅ 1. Rates in this Section will not apply to transportation for which rates are specifically provided in Section No. 3 of this tariff and Sections Nos. 2, 4, 5, 6, 7 and 10 of Minimum Rate Tariff 17.

Exception:-Does not apply to transportation of asphaltic concrete and cold road oil mixture for which rates are provided in Section No. 3 of this tariff from production areas to delivery zones described in Southern California Production Area and Delivery Zone Directory 1.

- ∅ 2. Rates in this Section will not apply when a distance rate notice as specified in Item No. 23 has been executed.
- ∅ 3.⁽¹⁾ Rates in Item No. 365 will not apply to the transportation of Fertilizer and Manure.

(1) Expires July 1, 1966.

∅ Change

EFFECTIVE OCTOBER 16, 1965

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San Francisco, California.
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