

ORIGINAL

Decision No. 70505

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, California.)

Application No. 48263
(Filed February 21, 1966)

OPINION AND ORDER

Ellis Interstate Corporation, a corporation, holds a highway contract carrier permit.¹ By Decision No. 68827 dated March 30, 1965, in Application No. 47386, it 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 the plants of the Riverside Cement Company at Oro Grande and Crestmore. The current authority is scheduled to expire with March 31, 1966. By this application, authority is sought to continue the current authorization for a further one-year period, but to modify the current authority to include only the movement of iron ore between Iron Age Mine and Oro Grande.

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

Applicant avers that by reason of conditions beyond its control, the movement of iron ore from Iron Age Mine to Crestmore was discontinued in July of 1965, but that the movement from Iron Age Mine to Cro Grande has been continuous and profitable and consisted of 17,150 tons for the year 1965, an average of 1,429 tons per month.

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 ensuing year.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on February 18, 1966. The application was listed on the Commission's Daily Calendar of February 23, 1966. 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 Commission concludes that 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, 1966.

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

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of Twentynine Palms to the plant of the Riverside Cement Company at Oro Grande 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, 1966, supersede the authority granted by Decision No. 68827 and shall expire with March 31, 1967.

This order shall become effective March 31, 1966.

Dated at San Francisco, California, this 29th day of March, 1966.

Frederick B. Holdhoff
President
George T. Crowe
Commissioners
William M. Burnett

APPENDIX A TO DECISION NO. 70505

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.

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.

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)