

ORIGINAL

Decision No. 70915

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)
 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 Crestmore, California.)

Application No. 48502
(Filed May 24, 1966)

OPINION AND ORDER

Ellis Interstate Corporation, a corporation, holds a highway contract carrier permit.¹ It is currently authorized to assess a less-than-minimum rate of \$4.15 per ton, minimum weight 20 tons per shipment, for the transportation of iron ore for the Riverside Cement Company, a division of the American Cement Corporation, from Iron Age Mine located 27.3 miles east of Twentynine Palms to the plant of the Riverside Cement Company at Oro Grande.² The authorized rate is also subject to a minimum tonnage of 750 tons per calendar month.

By this application, applicant seeks authority to assess the same rate, subject to a minimum of 500 tons per calendar month, for the transportation of iron ore from the mine to another Riverside Cement Company plant located at Crestmore. Applicant requests that the sought authority be made to expire concurrently with the authority granted by Decision No. 70505.

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 This rate authority was granted by Decision No. 70505, dated March 29, 1966, in Application No. 48263, and is scheduled to expire with March 31, 1967.

Applicant states that it was authorized to assess the same less-than-minimum rate to Crestmore and Oro Grande in connection with the transportation of iron ore from Iron Age Mine.³ Applicant alleged, at the time of the filing of its Application No. 48263, that the movement of iron ore from the mine to Crestmore was discontinued in July of 1965. Applicant avers that it has now been requested by the shipper to resume transportation service from the mine to Crestmore at the rate heretofore authorized for said movement.

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

The certificate of service shows that a copy of the verified application was mailed to California Trucking Association on May 23, 1966. The application was listed on the Commission's Daily Calendar of May 25, 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 and that the related authority covering the movement to Oro Grande should be superseded and concurrently restated and consolidated with the authority granted herein. The order which follows will be made effective on the date hereof.

³ See Decision No. 68827, dated March 30, 1965, in Application No. 47386.

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 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 the effective date of this order, supersede the authority granted by Decision No. 70505 and shall expire with March 31, 1967.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 28th day of June, 1966.

Fredrick B. Holdhoff
President
George J. Trover
William W. Bennett
Commissioners

APPENDIX A TO DECISION NO. 70915

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 500 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)