

Decision No. 71404

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into )  
 the constructive mileages, and related )  
 rules and provisions of all common car- )  
 riers, highway carriers and city carriers )  
 relating to the transportation of any and ) (Case No. 7024  
 all commodities between all points in ) (Petition for Modification  
 California (including, but not limited to, ) No. 19)  
 constructive mileages provided in the ) (Filed August 11, 1966)  
 Distance Table). )

OPINION AND ORDER

Distance Table No. 5 contains the basis for determining constructive mileages, which govern the distance rates in various minimum rate tariffs issued by the Commission. By the above petition California Trucking Association seeks to have the definition of Mileage Basing Point amended by including therein the term, "Unnumbered Junction."

According to the petition, failure to include unnumbered highway junctions in the definition of Mileage Basing Point creates an unreasonable and illogical basis for constructive mileage determination. Petitioner alleges that a situation has been inadvertently created, which is not responsive to the intent of the constructive mileage concept nor to the practices of carriers and shippers, and that no useful purpose is served by the mileage designations between such points on the maps contained in the Distance Table unless provisions for such points are made in the definition. Petitioner asserts that the proposed change will create a tariff structure consistent with actual practice and understanding.

Copies of the verified petition were mailed to various chambers of commerce, shipper associations and carrier representatives on or about August 9, 1966. The petition was listed on the Commission's Daily Calendar of August 12, 1966. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable and that the proposed amendment of the involved rule will provide a just, reasonable and non-discriminatory basis for computing distances for use in applying distance rates in the applicable minimum rate tariffs. A public hearing is not necessary. The Commission concludes that the petition should be granted.

In the interest of tariff simplification, the supplement to be issued to Distance Table No. 5 will incorporate the provisions of Supplement No. 11.

IT IS ORDERED that:

1. Distance Table No. 5 (Decision No. 66578, as amended) is further amended by incorporating therein, to become effective November 19, 1966, Supplement No. 12 attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the distance table supplement incorporated in this order.

3. Common carriers are authorized to adopt Supplement No. 12 to Distance Table No. 5 as a basis for computing distances for use in applying distance rates in their common carrier tariffs for the transportation of:

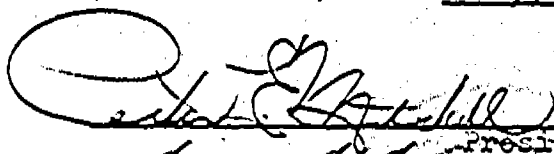
- (a) commodities for which minimum rates have not been established, or
- (b) commodities which are subject to higher rates than, or more restrictive provisions than the minimum rates or provisions otherwise applicable.


4. Common carriers, in establishing and maintaining the rule authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rule published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.


5. In all other respects, Decision No. 66578, 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 11<sup>th</sup> day of October, 1966.

  
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President

  
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Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

SUPPLEMENT NO. 12

(Cancels Supplement No. 11)

(Supplements Nos. 9, 10 and 12 Contain All Changes)

TO

DISTANCE TABLE NO. 5

Part 1

of 2 Parts

(Part 2 Consists of Maps)

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EFFECTIVE NOVEMBER 19, 1966

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
San Francisco, California

Amend Distance Table No. 5 as indicated on the following page:

PART I

Page No.	Rule No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION
157	ø1	<p data-bbox="536 650 1091 682">DEFINITIONS OF TECHNICAL TERMS</p> <p data-bbox="447 708 1314 934">ø(h) MILEAGE BASING POINT means the precise location designated to represent the following: Metropolitan Zone; Described Extended Area; incorporated city; unincorporated community, or other named point; Numbered Junction, or extended area thereof; Unnumbered Junction.</p> <p data-bbox="536 934 1281 1532">ø(h-5) UNNUMBERED JUNCTION means a Mileage Basing Point located at a highway junction shown on the constructive mileage map but not identified by number. For the purpose of this Distance Table, an Unnumbered Junction shall not have an extended area (see Rule 2(e)). An Unnumbered Junction may not be used as a terminal point in determining constructive mileage from or to points located within a Described Extended Area nor within the exterior limits of an incorporated city nor within the extended area of an incorporated city, unincorporated community, or other named point, or Numbered Junction.</p>

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11 FRESNO EXTENDED AREA includes that area embraced within the following boundary: Beginning at the junction of Herndon Avenue and Harrison Avenue in the Community of Pinedale; northerly along Harrison Avenue and its prolongation to the bluffs of the San Joaquin River; northeasterly along the bluffs to the prolongation of Teague Avenue; easterly along the prolongation of Teague Avenue to First Avenue; southerly along First Avenue to Herndon Avenue; easterly along Herndon Avenue to Chestnut Avenue; southerly along Chestnut Avenue to Fresno city limits; easterly along Fresno city limits to Clovis city limits; southerly along Clovis city limits to Fresno city limits; easterly, southerly, easterly and southerly along Fresno city limits to Fowler Avenue; southerly along Fowler Avenue to Olive Avenue; westerly along Olive Avenue to Sunnyside Avenue; southerly along Sunnyside Avenue to Belmont Avenue; westerly along Belmont Avenue to Clovis Avenue; southerly along Clovis Avenue to Central Avenue; westerly along Central Avenue to the bank of the Fresno Canal; southerly and westerly along the Fresno Canal to its intersection with Willow Avenue; northerly along Willow Avenue to Malaga Avenue; westerly along Malaga Avenue to Chestnut Avenue; northerly along Chestnut Avenue to Central Avenue; westerly along Central Avenue to Cedar Avenue; northerly along Cedar Avenue to North Avenue; westerly along North Avenue to Marks Avenue; northerly along Marks Avenue to California Avenue; westerly along California Avenue to Brawley Avenue; northerly along Brawley Avenue to Whitesbridge Avenue; westerly along Whitesbridge Avenue to Blythe Avenue; northerly along Blythe Avenue to West McKinley Avenue; easterly along West McKinley Avenue to Brawley Avenue; northerly along Brawley Avenue to U.S. 99 Freeway, northwesterly along U.S. 99 Freeway to Shaw Avenue; easterly along Shaw Avenue to Forkner Avenue; northerly along Forkner Avenue to Herndon Avenue; easterly along Herndon Avenue to the point of beginning.

(With number enclosed.) Reissued from Supplement bearing number enclosed within the square.

- ⊘ Change.
- ⊕ Addition.

The End