

ORIGINAL

Decision No. 71494

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
Petition No. 48
Filed December 22, 1958

Order Setting Hearing
Dated March 24, 1959

G. Ralph Grago, for Associated Independent Owner-Operators, Inc. (formerly Associated Owner-Operator, Inc.), petitioner.
E. O. Blackman, for California Dump Truck Owners Association, interested party.
H. Randall Stoke, C. Fred Imhof, and William F. Webster, for Southern California Rock Products Association, interested party.
Arlo D. Poe, H. F. Kollmyer and J. C. Kaspar, for California Trucking Association, interested party.
Harry C. Phelan, Jr., for California Asphalt Pavement Association, interested party.
Bertha L. Payan, for Payan Trucking, Inc., interested party.
R. Herman Ohs, for Consolidated Rock Products Company, interested party.
Fred P. Hughes, George L. Hunt, and Bill T. Farris, for the Transportation Division of the Commission's staff.

OPINION AND ORDER ON REHEARING

By Decision No. 69469, dated July 27, 1965, the Commission prescribed revised minimum zone rates for the transportation of rock, sand, gravel and related commodities in dump truck-and-

trailer equipment within defined areas in southern California.^{1/} Rehearing of the decision was subsequently sought by petition of Associated Owner-Operator, Inc.,^{2/} a party to the proceedings. The petition was supported by the California Trucking Association, also a party to the proceedings.

By Decision No. 70137, dated December 21, 1965, the Commission ordered rehearing of Decision No. 69469 "for the limited purpose of receiving further evidence in regard to the establishment of the rate structure for new production area 30-P." Rehearing was held before Examiner Abernathy at Los Angeles on March 28 and August 12, 1966.

Evidence was presented at the rehearing by engineers of the Commission's Transportation Division. By such evidence the engineers undertook to show the time and distance factors upon which were based the rates from production area 30-P which Decision No. 69469 prescribed.

Interested parties cross-examined the engineers on their showing. No one took exception to the data which the engineers presented. Neither was exception taken to the existent rates from production area 30-P.

The record upon rehearing does not disclose that the rates from production area 30-P are improper. The application

^{1/}The revised minimum rates, and the rules applicable thereto, are set forth in the Commission's Minimum Rate Tariff No. 17.

^{2/}Now Associated Independent Owner-Operators, Inc.

of the rates was not stayed by the filing of the petition of Associated Owner-Operator, Inc. Further action on the petition is not necessary.

Therefore, IT IS ORDERED that this phase of Case No. 5437 is hereby terminated.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 1st day of NOVEMBER, 1966.

Walter E. Schulz
President
George J. Grover
Fredrick B. Holtzoff
Augustus
St. Ann's Bernice
Commissioners