

ORIGINAL

Decision No. 71666

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 cement and)
related products (commodities for)
which rates are provided in)
Minimum Rate Tariff No. 10).)

Case No. 5440
(Petition for Modification
No. 41)
(Filed November 22, 1966)

OPINION AND ORDER

Minimum Rate Tariff No. 10 names minimum rates, rules and regulations for the transportation of cement and related commodities by city and highway carriers between points in the State of California. These rates have been governed by the constructive mileages set forth in Distance Table No. 5 since October 1, 1964.

By this petition, California Trucking Association requests a revision of Minimum Rate Tariff No. 10 to specify therein certain mileages, in lieu of the constructive mileages in Distance Table No. 5 otherwise applicable, for use in determining the rates for the transportation of cement and related products from Los Robles (Kern County) to various southern California metropolitan zones. Petitioner requests expedited action in this matter and asks that all common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in this proceeding, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

Petitioner avers that a new cement production facility has been established at Los Robles, which is scheduled for production before January 1, 1967. In order to maintain the competitive equality recognized as necessary in various cement markets,

petitioner proposes certain revisions in the constructive mileages from the above facility to various metropolitan zones in southern California as set forth in Appendix A attached to the petition. According to petitioner, the suggested revisions are predicated upon the formula utilized in the competitive mileages authorized for the transportation of cement from various other cement production facilities to the metropolitan zones involved¹ and the constructive mileages furnished by the Commission's staff from Los Robles to the junction points nearest thereto.²

Petitioner states that its proposal, which involves increases and reductions of minor consequence, has been the subject of review by interested shippers and carriers of cement and that the requested changes are generally desired by such parties and will be in their best interest.

Copies of the verified petition were mailed to various interested cement shippers on or about November 21, 1966. The petition was listed on the Commission's Daily Calendar of November 22, 1966. No objection to the granting of the petition has been received. A public hearing is not necessary.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable, that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved, and that, to the extent increases are involved, such increases are justified. The Commission concludes that the petition should be granted.

¹

See Decision No. 67123, dated April 21, 1964, in Case No. 5440 (Petition for Modification No. 17).

²

These distances from Los Robles are 15.5 and 16.6 constructive miles to Junctions 4062 and 4128, respectively.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 10 (Appendix "A" of Decision No. 44633, as amended) is further amended by incorporating therein, to become effective January 1, 1967, First Revised Page 5-A and Fourth Revised Page 5-B attached hereto and by this reference made a part hereof.


2. Tariff publications required to be made by common carriers as a result of the order herein may be made effective not earlier than the fifth day after the effective date of this order on not less than five days' notice to the Commission and to the public and such tariff publications shall be made effective not later than January 1, 1967; and tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier than the fifth day after the effective date of this order, and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

3. 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.

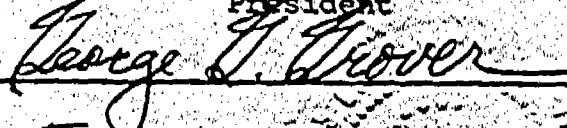
4. In all other respects Decision No. 44633, as amended, shall remain in full force and effect.

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

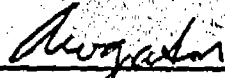
Dated at San Francisco, California, this 6th day of December, 1966.



President



Frederick B. Holbrook



William L. [unclear]

Commissioners

SECTION NO. 1 - RULES AND REGULATIONS (Continued)							Item No.
COMPUTATION OF DISTANCES - EXCEPTION (Items Nos. 55 and 56)							
Between Cushenbury, Creal,*Los Robles, Monolith, Oro Grande and Victorville on the one hand, and Metropolitan Zones 201 and 262, inclusive, on the other hand, the mileages shown in this item and in Item No. 56 shall apply to the exclusion of those provided in Distance Table No. 5. The mileages provided in Items Nos. 55 and 56 shall not apply at intermediate points nor be used in combination with any other constructive mileage.							
And Metropolitan Zones	Between Cushenbury	Creal	*Los Robles	Monolith	Oro Grande	Victorville	
201	143	102	80	108	112	107	
202	137	96	74	102	106	101	
203	133	92	70	98	102	97	
204	139	98	76	104	108	103	
205	143	102	80	108	112	107	
206	137	111	89	117	111	106	855
207	126	122	100	128	100	95	
208	117	130	108	136	91	86	
209	109	138	116	144	83	78	
210	102	145	123	151	76	71	
211	97	141	129	148	71	66	
212	148	107	85	113	117	112	
213	142	101	79	107	111	106	
214	145	104	82	110	114	109	
215	143	108	86	114	117	112	
216	140	115	93	121	114	109	
217	136	111	89	117	110	105	
218	134	118	96	124	108	103	
219	125	126	104	132	99	94	
220	117	132	110	138	91	86	
221	113	135	113	141	87	82	
222	107	142	120	148	81	76	
223	159	124	102	130	133	128	
224	149	109	87	115	119	114	
225	153	118	96	124	127	122	
226	146	115	93	121	120	115	
227	140	118	96	124	114	109	
228	133	118	96	124	107	102	
229	130	120	98	126	104	99	
230	125	128	106	134	99	94	

231	147	117	95	123	121	116
232	153	125	103	131	127	122
233	145	123	101	129	119	114
234	139	126	104	132	113	108
235	135	130	108	136	109	104
236	127	128	106	134	101	96
237	126	135	113	141	100	95
238	115	139	117	145	89	84
239	108	146	124	152	82	77
240	156	132	110	138	130	125
241	147	131	109	137	121	116
242	139	135	113	141	113	108
243	133	135	113	141	107	102
244	129	138	116	144	103	98
245	118	144	122	150	92	87

(Continued in Item No. 56)

<ul style="list-style-type: none"> ⊘ Change * Addition ◇ Increase ⊖ Reduction 	}	Decision No. 71666
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EFFECTIVE JANUARY 1, 1967

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.
 Correction No. 92

Fourth Revised Page 5-B

Cancels

Third Revised Page 5-B

MINIMUM RATE TARIFF NO. 10

SECTION NO. 1 - RULES AND REGULATIONS (Continued)							Item No.
COMPUTATIONS OF DISTANCES - EXCEPTION (Concluded) (Items Nos. 55 and 56)							
Between And	Cushenbury	Creal	*06 Los Robles	Mono- lith	Oro Grande	Victorville	
Metropolitan Zones							
246	124	145	123	151	98	93	
247	151	137	115	143	125	120	
248	143	140	118	146	117	112	
249	136	140	118	146	110	105	
250	158	145	123	151	132	127	
251	148	143	121	149	122	117	
252	145	145	123	151	119	114	
253	141	150	128	156	115	110	
254	133	149	127	155	107	102	
255	122	152	130	158	96	91	656
256	130	156	134	162	104	99	
257	141	155	133	161	115	110	
258	136	161	139	167	110	105	
259	135	163	141	169	109	104	
260	132	160	138	166	106	101	
261	124	157	135	163	98	93	
262	119	150	128	156	93	88	
COMPUTATION OF DISTANCES - EXCEPTION							
<p>Between Davenport and Metropolitan Zones 101 to Δ135, inclusive, the mileages shown in this item shall apply to the exclusion of those provided in Distance Table No. 5. The mileages shall not apply at intermediate points nor be used in combination with any other constructive mileage.</p>							Δ58

Between Davenport			
And Metropolitan Zones	Constructive Miles	And Metropolitan Zones	Constructive Miles
101	85	121	60
102	85	122	65
103	75	123	65
104	65	124	55
105	75	125	55
106	65	126	55
107	65	127	55
108	115	128	55
109	105	129	55
110	100	130	55
111	100	131	55
112	85	132	55
113	85	133	65
114	85	134	55
115	85	135	65
116	85		
117	75		
118	75		
119	75		
120	75		

∅ Change)
 * Addition)
 ◇ Increase)
 Δ Change, neither increase)
 nor reduction)
 ◊ Reduction)

Decision No. **71666**

EFFECTIVE JANUARY 1, 1967

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San Francisco, California.

Correction No. 93