

ORIGINALDecision No. 72081

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 carriers, highway carriers
 and city carriers relating to the
 transportation of any and all com-
 modities between all points in
 California (including, but not
 limited to, constructive mileages
 provided in the Distance Table.

Case No. 7024
 Order Setting Hearing of
 July 19, 1966

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 any and all
 commodities between and within all
 points and places in the State of
 California (including, but not
 limited to, transportation for which
 rates are provided in Minimum Rate
 Tariff No. 2).

Case No. 5432
 Order Setting Hearing of
 October 11, 1966

And related matters.

Cases Nos. 5330, 5433, 5436,
 5438, 5439, 5440,
 5603, 5604 and
 7857

(Appearances are listed in Appendix A)

OPINION AND ORDER

Order Setting Hearings of July 19 and October 11, 1966,
 in Case No. 7024 were instituted on the recommendation of the
 Commission's Transportation Division staff to provide an oppor-
 tunity to present evidence concerning proposed adjustments to the
 current distance table and modification of certain of the Com-
 mission's Minimum Rate Tariffs which are subject to the provisions
 of Distance Table No. 5.

After due notice to persons and organizations believed to be interested, public hearings were held before Examiner Turpen at San Francisco on October 18, 1966, and at Los Angeles on October 25, 1966.

Distance Table No. 5 was made effective by Decision No. 66288 on February 1, 1964. The provisions of the Distance Table were based on extensive evidence received in hearings held in 1961 developed from studies conducted prior to that time. In the intervening period there has been considerable economic growth in the State. There have also been extensive changes in the highway network. The staff witnesses testified that actual use of Distance Table No. 5 over the past several years has uncovered some deficiencies and brought to light ways to improve its workability.

The evidence which was presented relative to what changes should be made in the present Distance Table was submitted by a rate expert and by an engineer of the Transportation Division of the Commission's staff. A major portion of the staff's recommendations is responsive to requests made by shippers and carriers for a more comprehensive Distance Table. The parties emphasized the need for more mileage basing points, including Red Points, additional routes and certain technical modifications. Briefly, the witnesses presented evidence to show: (a) significant changes in the characteristics of individual segments of highways and roads; (b) the need for a more comprehensive Distance Table involving an expansion in the network of roads and additional mileage basing points, including more Red Points; (c) the need for revisions to the rules and Metropolitan Zone and Extended Area boundary descriptions; (d) and the advantages of certain innovations that are designed to improve the general format of the Distance Table.

The staff witnesses explained in great detail all the changes in the proposed table and the reasons therefor. All Interstate Highways, U. S. Highways, State Highways and a major portion of important county roads, utilized in the constructive mileage network were resurveyed to ascertain and evaluate the changes occurring in the physical features thereof. The physical suitability of new routes was also surveyed and evaluated for possible inclusion in the constructive mileage system. In the process, certain roads found no longer suitable for truck transportation were deleted and several new and improved roads were added. Certain increases and decreases in constructive mileage distance between points result from changes that have occurred in both the physical characteristics of the highway network and in the operating conditions since Distance Table No. 5 first became effective.

New Red Points selected by the staff were based upon studies of now existing Black Points, including numbered junctions, in Distance Table No. 5. The number of Red Points has been increased from 402 to 743. Selections were made to assure that key shipping and receiving areas would be established as Red Points. These Red Points were selected from a survey of data contained in a traffic flow study conducted recently by the staff. Consideration was also given to certain strategically situated Black Points, including numbered junctions, along the various constructive mileage routes. Other selections were made based on the staff's knowledge in connection with transportation of commodities moving under the various minimum rate tariffs subject to the Distance Table. The increase in Red Points, as advanced by the staff, is designed to alleviate the difficult mileage computation problems now existing

in Distance Table No. 5. More computed distances in the tables of mileages will reduce the requirement for determining distances directly from the constructive mileage maps and will result in considerable savings in time and expense for all users of the table.

The staff proposals for changes to the rules, in Section 1 of Distance Table No. 5, are principally in the nature of clarification.

Revisions to the metes and bounds descriptions of Metropolitan Zones and Described Extended Areas contained in Sections 2-A and 2-D of the Distance Table were proposed by the staff to reflect changes in street names, state highway designations and certain street alignments that have occurred since the original issue of Distance Table No. 5.

The staff has proposed that the Distance Table be published in a single volume. In support of this proposal the rate expert testified that certain highway carriers are required to file their intrastate tariffs with the Interstate Commerce Commission (I.C.C.) while conducting operations within California pursuant to authority issued by the I.C.C. The witness stated that the carriers encountered difficulties in registering Distance Table No. 5 with the I.C.C. It appears that the I.C.C. took particular exception to the two-volume construction of the table, as well as to the map volume which exceeds the 8"x 11" size limitation.^{1/} In order to accord some relief to carriers in these circumstances, the staff proposed that a self-contained single volume Distance Table be

^{1/} Part I consists of indices, rules, zone and area descriptions, and the constructive mileage tables. Part II consists of maps, measures 10"x12½".

established. This would be accomplished by incorporating the four sectional maps into the proposed single volume as an integral part of the basic provisions.^{2/} In this manner, the single volume will contain all the provisions necessary for computing constructive mileage distances and be more acceptable to the I.C.C.

The staff witnesses suggested several additional changes in the provisions of Distance Table No. 5, either for clarification or to improve the general format. These matters included proposals to publish the distance table in loose-leaf form, to show continuous routes and mileages from or to the metropolitan zone areas on Sectional Maps 2 and 4, and to expand the Index of Points to include new listings of mileage basing points and cross-reference points.

A representative of the Placer County Board of Supervisors urged the inclusion of Sunset/Whitney Ranch, in Placer County, as a Red Point. This area is being developed as an industrial park and will generate a considerable amount of highway transportation. It was developed, however, that there will not be substantial production in that area before December, 1967. The staff pointed out that the addition of a single new Red Point at this time would require a complete re-run of the network and reprinting of the constructive mileage table. It appears that the addition of Sunset/Whitney Ranch should not be done at this time, but the staff is directed to give consideration to establishing it as a Red Point in the next revision of the Distance Table.

^{2/} The four sectional maps consist of: Sectional Map 1, Northern California; Sectional Map 2, North Central California; Sectional Map 3, South Central California; and Sectional Map 4, Southern California.

The basic provisions presently consist of: Section 1, rules; Section 2, metropolitan zone, metropolitan zone group, mileage territory and extended area descriptions; and Section 3, tables of mileages.

The traffic supervisor of Rohr Corporation of Chula Vista requested a change in the boundary between San Diego Metropolitan Zones 301 and 304 so that the location of his company's plant would be changed from MZ 304 to MZ 301, resulting in lower rates for shipments between the plant and the Los Angeles area. Through cross-examination it was developed that the relief sought by Rohr was with respect to shipments subject to the minimum charge and small shipment provisions of Minimum Rate Tariff No. 2. The distance between Rohr's plant in MZ 304 and the Los Angeles area is generally in excess of 150 miles which has the effect of making their shipments, which are not over 500 pounds, subject to the higher scales of rates in Small Shipment Service and under the minimum charge provisions. The record does not show how the requested change would affect other parties. This is a matter which should properly be considered in a Petition for Modification of Minimum Rate Tariff No. 2 and therefore will be denied in this proceeding.

The representative of the California Trucking Association drew attention to features of the Index of Points which, in his opinion, should be clarified. Some of the black numbered junctions as hereinbefore stated, are designated as Red Points. These Red Points are listed in the proposed alphabetical Index of Points as "Junction No. X", whereas the black numbered junctions are in a separate list at the end of the alphabetic index and called "Numbered Junctions." He stated that this arrangement could possibly be a source of confusion, and suggested that all the junctions be incorporated in a single list. This proposal has merit and will be adopted.

Upon full consideration of all the facts and circumstances of record, we find that Distance Table 6, as set forth in Exhibit 1, as amended by Exhibits 4 and 5, and the separate Book of Maps, as set forth in Exhibit 2, modified to the extent set forth in the preceding

paragraph, contains the reasonable constructive miles and governing rules to be used in connection with the Commission's Minimum Rate Tariffs, in place of Distance Table No. 5. Adoption of the proposed distance table provisions results in both increases and reductions in mileage factors and when applied to the rates, rules and regulations of the Commission's Minimum Rate Tariffs produces increases and reductions in the ultimate rates and charges. The resulting changes, we find, provide just and reasonable minimum rates, rules and regulations. We conclude that Distance Table 6 and its separate Book of Maps should be adopted to supersede Distance Table No. 5, effective July 1, 1967, and that all Minimum Rate Tariffs now referring to Distance Table No. 5 should be amended accordingly. Distribution of the Distance Table and amendment of the tariffs will be made by subsequent orders.

As announced in Decision No. 68588, dated February 9, 1965, in Case No. 7024, major revisions of the Distance Table were planned to be made periodically on approximately an annual basis. Major revisions require considerable expenditures in time and money for conducting necessary studies. It now appears that a practicable method for instituting revisions to the Distance Table which give effect to significant changes occurring in the general economic life of the State and in the highway network would not require that frequency.

It should be recognized that a major revision requires considerable time after all the necessary data has been secured before exhibits can be prepared for presentation at public hearings. It is thus necessary to establish a "cut-off date" for proposals from interested parties to be considered in the next planned revisions. It is now planned that the next major revision should be issued to become effective about July 1, 1969 or on a biennial basis. Considering the time necessary to prepare proposed revisions, conduct hearings and

prepare and distribute the adopted table, a cut-off date not later than July 1, 1968, would be necessary. Prior to that time interested parties will be informed as to the actual date.

IT IS ORDERED that:

1. The mileages, maps, rules and other provisions as specified in the preceding opinion are hereby adopted as Distance Table 6 to supersede Distance Table No. 5, effective July 1, 1967.

2. By subsequent orders in these proceedings, Distance Table 6, and its separate Book of Maps, will be served upon respondents and parties of record, and the necessary amendments will be made to those minimum rate tariffs now referring to Distance Table No. 5.

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

Dated at San Francisco, California, this 28th day of FEBRUARY, 1967.

President
William M. Bennett

William Ayres, Jr.

And P. Morrissey
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

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

APPENDIX A

LIST OF APPEARANCES

FOR RESPONDENTS:

Robert C. Ellis, for California Motor Express, Ltd., and California Motor Transport Co.; Armand Karp, for Callison Truck Lines, Inc.; John McSweeney, for Delta Lines; and J. Harvey Watson and William Dobrowski, for Ringsby-Pacific Ltd.

INTERESTED PARTIES:

J. C. Kaspar, H. F. Kollmyer, and Arlo D. Poe, for California Trucking Association; John T. Reed, for California Manufacturers Association; Ralph Hubbard, for California Farm Bureau Federation; A. E. Norrbom, for Traffic Managers Conference of California; Kenneth C. Delaney, for Los Angeles Chamber of Commerce; William E. Mitze, for Riverside Division, American Cement Corporation; J. R. McNicoll, for E. J. Lavino & Co.; C. D. Gilbert, for Peter Paul; Jim Martin, for The J. M. Smucker Co.; E. J. Bertana, for Pacific Cement & Aggregates; Jack B. Sims, for Formica Corporation; Charles H. Costello, for Continental Can Co., Inc.; Tad Muraoka, for IBM Corporation; Gordon A. Rodgers, for Union Carbide Corporation; Eugene R. Warren, for Warren Grain Co. and California Grain & Feed Association; Reed B. Tibbetts, for Owens Illinois Inc.; T. W. Curley, for Swift & Co.; George B. Shannon, for Southwestern Portland Cement Co.; Waldo A. Gillette, for Monolith Portland Cement Co.; Gordon Carsen, for American Can Co.; C. R. Nickerson, for Pacific Coast Tariff Bureau; A. E. Evers, for National Lead Company; Norman I. Molaug, for J. C. Penny Company; David B. Porter, for Cannery League of California; William F. McCann, for Container Corporation of America; D. R. Ranche, for Standard Brands Inc.; Asa Button, for Spreckels Sugar Co.; Meyer Kapler, for American Forest Products Corporation; Walter G. Herrigel, for Ideal Cement Co.; Eugene A. Feise, for Calaveras Cement Co.; Eugene E. Bonbright, for Traffic Service Corporation; Bert Ferre, John P. Rohrer, and Charles T. Elkins, for Kaiser Cement & Gypsum Corporation; H. N. Bishop, for Placer County Board of Supervisors; Dale R. Stringfellow, for Sunset International Petroleum Corporation; Frank L. Thall, for Cargill, Inc.; Louis Entin, for Rohr Corporation; D. H. Marken, for Pacific Western Industries; George H. Roe, for California Portland Cement Co.; A. Stanley Hayes, for Sears, Roebuck and Company; James Quintrall, for Los Angeles Warehousemen's Association; David M. Becker, for Sunkist Growers; W. J. Knoell, for Western Motor Tariff Bureau, Inc.; Richard A. Redmond, for California Household Goods Carriers Bureau; and Lynn M. Watwood, Jr., for Kaiser Cement.

COMMISSION STAFF:

R. A. Lubich and Robert E. Walker