

**ORIGINAL**

Decision No. 72228

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 Oro Grande and to )  
 Crestmore, California. )

Application No. 49212  
(Filed March 15, 1967)

OPINION AND ORDER

Ellis Interstate Corporation, a corporation, holds a highway contract carrier permit.<sup>1</sup> By Decision No. 70915 dated June 28, 1966, in Application No. 48502, it was 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 plants of the Riverside Cement Company at Oro Grande and Crestmore. The authorized rate is subject to minimum tonnages of 750 and 500 tons per calendar month for shipments to Oro Grande and Crestmore, respectively, and is scheduled to expire with March 31, 1967. By this application, authority is sought to continue to deviate from the established minimum rates for a further one-year period.

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<sup>1</sup> Applicant also possesses certificates to operate as a petroleum irregular route carrier and cement carrier. These certificated operating authorities are not involved herein.

Applicant states that the movement of iron ore from the above mine to Oro Grande and Crestmore will be continuous and has proven to be a profitable operation at the sought rate.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable in the ensuing year.

The certificate of service shows that a copy of the verified application was mailed to California Trucking Association on March 13, 1967. The application was listed on the Commission's Daily Calendar of March 17, 1967. 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.

In view of the impending expiration date of the current authority, the order which follows will be made effective March 31, 1967.


IT IS ORDERED that:


1. Ellis Interstate Corporation, a corporation, is hereby authorized, as a highway contract carrier, to transport iron ore for 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.

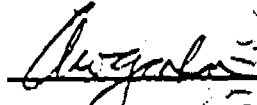
2. The authority granted herein shall, on and after March 31, 1967, supersede the authority granted by Decision No. 70915 and shall expire with March 31, 1968.

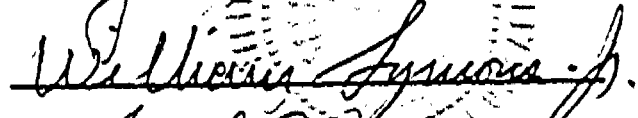
This order shall become effective March 31, 1967.


Dated at San Francisco, California, this 28<sup>th</sup> day of March, 1967.

  
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President

  
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Commissioner

  
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Commissioner

  
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Commissioner

  
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Commissioners

APPENDIX A TO DECISION NO. 72228

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)