

ORIGINAL

Decision No. 74038

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 Nos. 7 and 17).

Case No. 5437
 Petition for Modification
 No. 154
 Filed December 26, 1967

O P I N I O N

Somis Rock Products, Inc., petitioner, seeks the amendment of Minimum Rate Tariff 17 (MRT 17) and Southern California Production Area and Delivery Zone Directory 1, to establish in the latter tariff the description of a new production facility located in Ventura County, and to establish in MRT 17 rates on rock, sand and gravel from said production area to specified delivery zones in Santa Barbara, Ventura and Los Angeles Counties.

The petition alleges the following: Petitioner now, and for several years past, has engaged in the processing and marketing of rock, sand and gravel. Minimum zone rates are not now available from its production facility located approximately 8 miles northwest of Moorpark. The only available rates are the distance and hourly rates set forth in Minimum Rate Tariff No. 7 (MRT 7). Said distance and hourly rates, in general, produce higher aggregate charges than the charges under the zone rates in MRT 17 for the same transportation. The establishment of zone rates from petitioner's production facility would eliminate rate discrimination in favor of competing

producers of rock aggregates who now have zone rates available from their production facilities.

The petition states that petitioner's facility is of the same general type and character as facilities maintained by other natural rock aggregate producers for the processing of rock, sand and gravel. Said facility is modern in design and fully automated. A 60-foot permanent truck scale is located on the property of the production facility.

The petition contains a metes and bounds description of the proposed new production area, specifies the delivery zones to which rates are requested, and contains tie-in times and mileages from the proposed production area to the existing traverse network.

Copies of the verified petition were served on interested parties on or about December 18, 1967. The petition was listed on the Commission's Daily Calendar of December 27, 1967. No objection to the granting of the petition has been received.

It is clear that the establishment of zone rates, as proposed in the petition, would provide rates of the same kind and character from petitioner's production facility as those already available from other established competing points of production in the same general area.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable, and that the resulting minimum rates will be the just, reasonable and nondiscriminatory minimum rates for the transportation of rock, sand and aggregates in dump truck equipment from the proposed production area, hereinafter designated as Production Area 56-Q (Ventura County computer map number 50652), to various Ventura, Santa Barbara and Los Angeles County delivery zones, all as described in Directory 1.

SECTION 8 - VENTURA COUNTY PRODUCTION AREAS AND DELIVERY ZONES

VENTURA COUNTY PRODUCTION AREAS	Area
<p>Beginning at the intersection of the south bank of the Santa Clara River with the northerly prolongation of Central Avenue; southeasterly along the prolongation of Central Avenue to Vineyard Avenue; southwesterly along Vineyard Avenue to Corsicana Drive; northwesterly along a direct line to a point on the south bank of the Santa Clara River one-half ($\frac{1}{2}$) mile southwesterly of the point of beginning; northeasterly along the south bank of the Santa Clara River to the point of beginning.</p>	56-B
<p>Beginning at the intersection of the south bank of the Santa Clara River with Los Angeles Avenue; southeasterly along Los Angeles Avenue to Vineyard Avenue; southwesterly along Vineyard Avenue to Central Avenue; northerly along a direct line to a point on the south bank of the Santa Clara River one-half ($\frac{1}{2}$) mile westerly of the point of beginning; easterly along the south bank of the Santa Clara River to the point of beginning.</p>	56-C
<p>Beginning at the intersection of State Route 126 and Ojai Street in the City of Santa Paula; easterly along State Route 126 to a point three-tenths (.3) mile easterly of the eastern end of the bridge over Santa Paula Creek; thence due south along a direct line to the north bank of the Santa Clara River; westerly along the north bank of the Santa Clara River to the intersection of the southerly prolongation of Ojai Street; northerly along the prolongation of Ojai Street and Ojai Street to the point of beginning.</p>	56-E
<p>The southeast one-quarter ($\frac{1}{4}$) of Section 18 and the southwest one-quarter ($\frac{1}{4}$) of Section 17, Township 3 North, Range 19 West, San Bernardino base and meridian.</p>	56-G
<p>The northeast one-quarter ($\frac{1}{4}$) of the northwest one-quarter ($\frac{1}{4}$) and Lots 3 and 6 of Section 28, Township 3 North, Range 20 West, San Bernardino base and meridian.</p>	56-H

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SECTION 3 - VENTURA COUNTY PRODUCTION AREAS AND DELIVERY ZONES
(Continued)

VENTURA COUNTY PRODUCTION AREAS

Beginning at the intersection of Todd Barranca (wash) and the Southern Pacific Company right-of-way; north-easterly along the Southern Pacific Company right-of-way to Briggs Road; southeasterly along the prolongation of Briggs Road to the north bank of the Santa Clara River; southwesterly along the north bank of the Santa Clara River to Todd Barranca (wash); northerly along Todd Barranca to the point of beginning.

56-I

Beginning at a point 3200 feet due north of California Highway Commission Bench Mark 2 located on the west end of the old bridge 52-06 crossing the Ventura River on old Highway 101; thence due west a distance of 1000 feet; thence due north a distance of 2500 feet; thence due east a distance of 1500 feet; thence due south 2500 feet; thence due west a distance of 1000 feet to the point of beginning.

56-J

An area of the east bank of the Santa Clara River approximately 6,660 feet upstream from the Saticoy Bridge (Los Angeles Avenue) and described as Lot 82 of the Rancho Santa Paula y Saticoy, in the County of Ventura, State of California, as per map thereof recorded in the office of the county recorder of said Ventura County in Book "A" of Miscellaneous Records, at Page 290.

56-K

Lot 13 of parcel 500-110-01 and Lot 14 of Parcel 500-160-01 of the Epworth tract, Rancho Simi, Township 3 North, Range 19 West, as shown on Book 3, page 36 of maps of the county recorder's office of Ventura County.

56-L

The west $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of Section 19, Township 3 North, Range 19 West, San Bernardino base and meridian.

56-M

C. 5437 (Pet. 154)*

That portion of Tract O of the Rancho Simi, in the County of Ventura, State of California, as per map recorded in Book 3, page 7 of Maps in the office of the county recorder of said county, described as Section 19, Township 3 North, Range 17 West.

56-N

Approximately 420 acres, in the County of Ventura, State of California, described as Lot 84 of Subdivision No. 3 of the Tapo Rancho as per map recorded in the office of the county recorder of Ventura County. This area is further described as Section 24, Township 3 North, Range 18 West.

56-O

A portion of Tract B of the Rancho Simi, in the County of Ventura, State of California, as per map recorded in Book 3, page 7 of Miscellaneous Records (Maps) of said Ventura County. This area is further described as Sections 25 and 26, Township 2 North, Range 18 West.

56-P

The easterly $\frac{1}{2}$ of Section 22, Township 3 North, Range 20 West, San Bernardino base and meridian.

*56-Q

* Addition, Decision No.

74038

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Correction No. 9