

Decision No. 74960

**ORIGINAL**

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 )	Case No. 5440
carriers and city carriers relating )	(Petition for Modification
to the transportation of cement and )	No. 60)
related products (commodities for )	(Filed October 24, 1968)
which rates are provided in )	
Minimum Rate Tariff No. 10). )	

OPINION AND ORDER

Minimum Rate Tariff No. 10 names minimum rates and rules for the transportation of cement and related commodities by highway permit carriers between points in the State of California. These rates are governed by the constructive mileages set forth in Distance Table 6 and certain constructive mileages set forth in the above tariff.<sup>1</sup> By this petition, California Trucking Association seeks to have the mileages in the aforementioned tariff revised effective January 1, 1969, concurrently with the date that Distance Table 7 will be adopted to govern the rates named in the various Commission minimum rate tariffs.<sup>2</sup>

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<sup>1</sup>The mileages in Minimum Rate Tariff No. 10 are set forth in Items Nos. 55 and 56 thereof and govern the rates named in such tariff for transportation from southern California cement shipping points to destination points in the metropolitan Los Angeles area.

<sup>2</sup>The proposed revisions are set forth in detail in Exhibit A attached to the petition. Decisions Nos. 74532 and 74802 dated August 13, 1968, and October 8, 1968, in Cases Nos. 7024 (Order Setting Hearing dated May 21, 1968) and 5440, respectively, provide for adoption of Distance Table 7 to govern the rates in Minimum Rate Tariff No. 10.

Petitioner states that the proposed revisions are necessary to maintain the competitive relationship in the southern California cement market and that such revisions have been developed from the formula utilized consistently heretofore.<sup>3</sup> Petitioner asserts that its proposal reflects only those changes that are required by the adoption of Distance Table 7 for use in determining the rates in the aforementioned tariff.

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 October 22, 1968. The petition was listed on the Commission's Daily Calendar of October 28, 1968. No objection to the granting of the petition has been received.

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. A public hearing is not necessary. The Commission concludes that the petition should be granted.

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<sup>3</sup> See Decisions Nos. 67123, 71666 and 72503 dated April 21, 1964, December 6, 1966, and May 31, 1967, in Case No. 5440 (Petitions for Modification Nos. 17, 41 and 26), 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, 1969, Third Revised Page 5-A and Sixth 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 tenth day after the effective date of this order on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than January 1, 1969; 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 tenth day after the effective date of this order, and may be made effective on not less than ten 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. Tariff publications required and authorized herein shall be filed not earlier than the effective date of 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-four days after the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of November, 1968.

William J. Lyons, Jr.  
President

William G. Brown

Augustin

John P. Monahan  
Commissioners

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

SECTION NO. 1 - RULES AND REGULATIONS (Continued)							Item No.
oOoCOMPUTATION OF DISTANCES - EXCEPTIONS (Items Nos. 55 and 56)							
Between Cushenbury, Creal, Los Robles, Monolith, Oro Grande and Victorville, on the one hand, and Metropolitan Zones 201 to 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 the Distance Table. The mileages provided in Items Nos. 55 and 56 shall not apply at intermediate points nor shall they be used in combination with any other constructive mileage.							
BETWEEN	Cushen- bury	Creal	Los Robles	Mono- lith	Oro Grande	Victor- ville	
AND Metro- politan Zones Below							
201	138	101	71	107	109	103	
202	132	95	65	101	103	97	
203	128	91	61	97	99	93	
204	130	93	63	99	101	95	
205	137	100	70	106	108	102	
206	132	109	79	115	109	103	
207	121	118	88	124	98	92	
208	113	124	94	130	90	84	
209	105	132	102	138	82	76	
210	98	139	109	145	75	69	
211	94	138	114	145	71	65	(1)Ø
212	143	106	76	112	114	108	55
213	138	101	71	107	109	103	
214	139	102	72	108	110	104	
215	138	103	73	109	111	105	
216	136	109	79	115	113	107	
217	131	106	76	112	108	102	
218	131	112	82	118	108	102	
219	121	120	90	126	98	92	
220	113	126	96	132	90	84	
221	108	129	99	135	85	79	
222	103	136	106	142	80	74	
223	146	120	90	126	123	117	
224	144	107	77	113	115	109	
225	140	114	84	120	117	111	
226	139	111	81	117	116	110	
227	135	112	82	118	112	106	
228	129	112	82	118	106	100	
229	126	115	85	121	103	97	
230	119	121	91	127	96	90	
(Continued in Item No. 56)							

(1) Mileage exception involving Metropolitan  
Zone 231 transferred to Item No. 56  
appearing on Sixth Revised Page 5-B.

∅ Change )  
◊ Increase )  
ó Reduction )  
○ No Change )

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EFFECTIVE JANUARY 1, 1969

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Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 128

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## SECTION NO. 1 - RULES AND REGULATIONS (Continued)

Item  
No.

◊◊◊COMPUTATION OF DISTANCES-EXCEPTIONS  
(Concluded)  
(Items Nos. 55 and 56)

Between Cushenbury, Creal, Los Robles, Monolith, Oro Grande and Victorville, on the one hand, and Metropolitan Zones 201 to 262, inclusive, on the other hand, the mileages shown in this item and in Item No. 55 shall apply to the exclusion of those provided in the Distance Table. The mileages provided in Items Nos. 55 and 56 shall not apply at intermediate points nor shall they be used in combination with any other constructive mileage.

BETWEEN	Cushen- bury	Creal	Los Robles	Mono- lith	Oro Grande	Victor- ville
AND Metro- politan Zones Below						
231	138	112	82	118	115	109
232	143	120	90	126	120	114
233	137	117	87	123	114	108
234	131	120	90	126	108	102
235	128	122	92	128	105	99
236	121	122	92	128	98	92
237	119	128	98	134	96	90
238	110	133	103	139	87	81
239	104	140	110	146	81	75
240	148	127	97	133	125	119
241	139	123	93	129	116	110
242	132	126	96	132	109	103
243	125	128	98	134	102	96
244	124	133	103	139	101	95
245	114	137	107	143	91	85
246	121	140	110	146	98	92
247	143	127	97	133	120	114
248	136	130	100	136	113	107
249	129	133	103	139	106	100
250	150	136	106	142	127	121
251	140	135	105	141	117	111
252	137	136	106	142	114	108
253	135	140	110	146	112	106
254	128	144	114	150	105	99
255	119	148	118	154	96	90
256	126	151	121	157	103	97
257	137	150	120	156	114	108
258	134	154	124	160	111	105
259	131	156	126	162	108	102
260	128	153	123	159	105	99
261	121	152	122	158	98	92
262	116	144	114	150	93	87

(1) 56

(1) Mileage exception involving Metropolitan Zone 231  
transferred from Item No. 55 on Second Revised  
Page 5-A.

∅ Change )  
◊ Increase )  
ó Reduction )  
○ No Change )

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