

hjh

ORIGINAL

Decision No. 75608

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 relating to
the transportation of sand, rock,
gravel, and related items (commodities
for which rates are provided in
Minimum Rate Tariffs Nos. 7 and 17).

}
} Case No. 5437
} Petition for Modification No.
} 176
} (Filed January 15, 1969;
} Amended March 27, 1969)

O P I N I O N

In this petition, the Northern and Central California Chapter, Associated General Contractors of America (AGC) seeks revision of the Northern Territory mileage rates in Item No. 130 of Minimum Rate Tariff No. 7, by lifting restrictions as to the points to and from which said rates are applicable. The rates in said item now apply to the transportation of rock, stone, earth and related commodities in dump truck equipment (a) from a commercial producing plant, a railhead, or a distributing yard; or (b) to a cement, ceramic or glass factory, a hot plant, a distributing yard, or a railhead. Petitioner proposes that the rates in Item No. 130 be applicable from and to all points of origin and destination in Northern Territory.

The petition alleges that Item No. 130 of MRT 7 fails to provide a manner whereby specific distance rates may be determined for materials designated therein moving within the Northern Territory unless shipped from a commercial producing plant, a railhead, or a distributing yard, or to a cement, ceramic or glass factory, a hot plant, a distributing yard or a railhead.

Petitioner asserts that such limitation prevents both shipper and carrier from using distance rates in the Northern Territory under circumstances where such rates are available in the Southern Territory. Petitioner avers that there is no reason known to it for such disparity in the application of the rates in Item No. 130 between Northern and Southern Territories. The petition states that no increases in rates will result from the granting of the petition.

Petitioner requests that the Commission issue an exparte order herein. Copies of the petition and amendment were served upon known interested parties. By letter dated January 30, 1969, the California Dump Truck Owners' Association informed the Commission that its Board of Directors had considered the principle involved and concurs in it. In a letter to the Commission dated January 17, 1969, the California Trucking Association advised the Commission that said organization had considered the proposed relief and has no objection to the exparte relief requested. No objection to the granting of the petition has been received.

In the circumstances it appears, and the Commission finds, that the proposals set forth in the petition are reasonable and justified. A public hearing is not necessary. The Commission concludes that MRT 7 should be amended as provided in the order which follows.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 7 (Appendix A of Decision No. 32566, as amended) is further amended by incorporating therein, to become effective June 7, 1969, Fifteenth Revised Page 8 attached hereto and by this reference made a part hereof.

2. In all other respects said Decision No. 32566, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty-four days after the date hereof.

Dated at San Francisco, California, this 29th day of APRIL, 1969.

William Sproull Jr.
President
August
John P. Monahan
Commissioners

| Item No. | SECTION NO. 2 | DISTANCE RATES (Continued) | | In Cents per Ton |
|----------|---|----------------------------|--|------------------|
| | MATERIAL, viz.: (1) | | | |
| | Granite, decomposed, Gravel, Sand, Stone, crushed, chips, waste, Stone, natural, blocks, pieces or slabs, rough quarried, Stone, natural, sawed, not further finished, Barium, clay or silicate mud compounds, dry, oilwell drilling, Cement clinker, Clay, Cullet (glass, broken or crushed), Dolomite, dead-burned, Earth, | | Gypsum rock, crude, not further pro- cessed than broken or crushed, Loam, Mill scale, Mud, dry, oilwell drilling, Perlite rock, crude, not expanded, not further processed than broken, crushed or ground, Pyrite cinders, Pyrophyllite, crude, in blocks, pieces or slabs, rough quarried, Shale, Slag, Soapstone or Talc, crude, in blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides. | |
| | Between Points in Territories as shown (see Items nos. 100, 110 and 120). | | | |
| | Miles | Southern Territory Rate | Northern Territory Rates ** (3) | |
| | But Over Not Over | | Minimum Weight in Tons See Item 50 23(4) | |
| | 0 1 | 22 | 30 | 23 |
| | 1 2 | 27 | 35 | 26 |
| | 2 3 | 34 | 38 | 29 |
| | 3 4 | 39 | 43 | 32 |
| | 4 5 | 44 | 47 | 35 |
| 130 | 5 6 | 49 | 52 | 39 |
| | 6 7 | 56 | 55 | 42 |
| | 7 8 | 61 | 60 | 46 |
| | 8 9 | 66 | 64 | 49 |
| | 9 10 | 71 | 67 | 53 |
| | 10 11 | 80 | 72 | 56 |
| | 11 12 | 80 | 76 | 60 |
| | 12 13 | 87 | 79 | 63 |
| | 13 14 | 87 | 83 | 67 |
| | 14 15 | 95 | 86 | 70 |
| | 15 16 | 95 | 91 | 74 |
| | 16 17 | 103 | 95 | 77 |
| | 17 18 | 103 | 98 | 81 |
| | 18 19 | 110 | 102 | 84 |
| | 19 20 | 110 | 106 | 87 |
| | 20 21 | 119 | 110 | 91 |
| | 21 22 | 119 | 114 | 94 |
| | 22 23 | 119 | 118 | 98 |
| | 23 24 | 128 | 121 | 101 |
| | 24 25 | 128 | 125 | 105 |
| | 25 26 | 128 | 128 | 108 |
| | 26 27 | 138 | 132 | 112 |
| | 27 28 | 138 | 137 | 115 |
| | 28 29 | 138 | 140 | 119 |
| | 29 30 | 138 | 144 | 122 |

| | | | | |
|---|-----|-----|-----|-----|
| 30 | 31 | 155 | 148 | 126 |
| 31 | 32 | 155 | 151 | 129 |
| 32 | 33 | 155 | 155 | 133 |
| 33 | 34 | 155 | 158 | 136 |
| 34 | 35 | 155 | 162 | 139 |
| 35 | 37 | 173 | 168 | 145 |
| 37 | 39 | 173 | 174 | 150 |
| 39 | 40 | 173 | 180 | 155 |
| 40 | 41 | 191 | 180 | 155 |
| 41 | 43 | 191 | 186 | 161 |
| 43 | 45 | 191 | 192 | 167 |
| 45 | 50 | 208 | 206 | 180 |
| 50 | 55 | 228 | 221 | 192 |
| 55 | 60 | 244 | 235 | 204 |
| 60 | 65 | 261 | 250 | 216 |
| 65 | 70 | 279 | 264 | 228 |
| 70 | 75 | 296 | 278 | 240 |
| 75 | 80 | 314 | 293 | 252 |
| 80 | 85 | 332 | 306 | 264 |
| 85 | 90 | 350 | 319 | 276 |
| 90 | 95 | 368 | 332 | 288 |
| 95 | 100 | 384 | 346 | 300 |
| 100 (See Note) | | | | |
| NOTE: Add to rate for 100 miles for each 5 miles or fraction thereof | | 18 | 13 | 12 |

- (1) Rates do not apply on commodities described in Item No. 146.
- (2) **
- (3) Rates are subject to Item No. 96.
- (4) Except as otherwise provided in Item No. 96, the minimum weight must be transported in one unit of equipment at one time.

Change)
 ** Circle 2 reference and explanation) Decision No. 75608
 eliminated)

EFFECTIVE

Issued by the Public Utilities Commission of the State of California,
 San Francisco, California.

Correction No. 1306