

ORIGINAL

Decision No. 75855

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)
commodities between all points in)
California (including, but not)
limited to, constructive mileages)
provided in the Distance Table).)

Case No. 7024
Petition for Modification No. 22
(Filed April 25, 1969)

O P I N I O N

California Trucking Association, petitioner, seeks amendment of Distance Table 7 (DT7) by the inclusion therein of the site of Pacific Gas and Electric Company's Diablo Canyon Nuclear Power Plant and the establishment of a constructive mileage between said plant site and Avila.

The petition alleges that several of the minimum rate tariffs issued by the Commission are governed by DT7; that continued development in various areas of the State necessitates periodic amendment of DT7; that Pacific Gas and Electric Company is constructing a new commercial nuclear-fueled power generating facility; that specific constructive mileages have not been established from and to said facility; and that the method of determining constructive mileages under Rule 4 of DT7 (1.3 times actual mileage) results in mileages which are unreasonable and insufficient. The petition urges that a definite and certain basis for determination of constructive mileages to and from said plant site will remove possible competitive disadvantages to carriers and suppliers serving this location, and will serve to eliminate possible enforcement difficulties.

The petition states that a formula has been adopted for the translation of actual highway miles into constructive miles, and requests that the Commission staff develop the appropriate constructive mileage between the plant site and the nearest point shown in DT7, i.e., Avila.

The Commission staff has prepared a report showing a development of the requested constructive mileage, which report is incorporated in the record herein as Exhibit No. 22-1. The report states as follows: On May 7, 1969, an investigation was made in the field by members of the Commission's engineering staff. The road in question, from existing black point "Avila" to proposed black point "Diablo Canyon Power Plant", is over private property for the last 7 miles. Access to the road is limited by a guarded entry gate. The power plant will be the terminus of significant amounts of freight during the construction period. The construction period will last several years. In arriving at the constructive mileage to be used, an allowance was made for the estimated time required for checking in and out with the security guard. The distance from Avila to the Diablo Canyon Power Plant is 8.4 actual miles. The road, when completed, will be two-lane paved, 24-feet wide with four feet paved shoulders and with grades ranging up to 6 percent.

It is recommended in the staff report that the point Diablo Canyon Power Plant, San Luis Obispo County, Reference Map 3, H-20, be added to the index of points and that the mileage between this point and the point of Avila be established as 12 constructive miles.

In the circumstances, it appears, and the Commission finds that:

1. The constructive mileages set forth in the supplement attached hereto are reasonable and justified.

2. The proposed revisions of Distance Table 7, when applied in conjunction with minimum rate tariffs subject thereto, will result in just, reasonable and nondiscriminatory minimum rates for transportation governed by said tariffs.

3. To the extent that the provisions of Distance Table 7 heretofore have been found to constitute reasonable rules and distances for common carriers as defined in the Public Utilities Code, the provisions of said distance table as hereinafter modified are, and will be, reasonable provisions for said carriers.

4. To this same extent, existing rules and distances which are maintained by said common carriers for transportation within California are and, for the future, will be unreasonable, insufficient and not justified by the actual competitive rates of competing carriers or by the cost of other means of transportation insofar as they are lower in volume or effect than those set forth in Distance Table 7, as hereinafter modified.

5. A public hearing is not necessary.

The Commission concludes that the petition should be granted.

O R D E R

IT IS ORDERED that:

1. Distance Table 7 (Decision No. 74532, as amended) is further amended by incorporating therein, to become effective August 9, 1969, Supplement 3, First Revised Page 41 and First Revised Page 42 attached hereto, which supplement and tariff pages are by this reference made a part hereof.

2. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and 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 August 9, 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 tariff pages incorporated in this order.

3. Common carriers are authorized to adopt the supplement and revised tariff pages to Distance Table 7 attached hereto, as a basis for computing distances for use of applying distance rates in their common carrier tariffs for the transportation of:

- (a) Commodities for which minimum rates have not been established, or
- (b) Commodities which are subject to higher rates than, or more restrictive provisions than, the minimum rates or provisions otherwise applicable.

4. Common carriers, in establishing and maintaining rates based on the mileages and other provisions 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects Decision No. 74532, 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 18th day of JULY, 1969.

William Lyons, Jr.
President
Deputy
John P. Thomas
Commissioner
Commissioners

SUPPLEMENT 3

(SUPPLEMENTS 1, 2 AND 3 CONTAIN ALL CHANGES)

TO

DISTANCE TABLE 7

CONTAINING

RULES AND

CONSTRUCTIVE MILEAGE TABLES

FOR THE DETERMINATION OF

CONSTRUCTIVE MILEAGES

BETWEEN

POINTS WITHIN THE STATE OF CALIFORNIA

EFFECTIVE

Decision No. 75855

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California 94102

PART I

*Constructive mileage from and to Diablo Canyon Power Plant (San Luis Obispo County) shall be:

Between Avila and Diablo Canyon Power Plant:
12 constructive miles.

The above mileage shall be used as base in determining the constructive mileage from and to Diablo Canyon Power Plant.

* Addition, Decision No. 75855

For Explanation of Abbreviations, References or Symbols See Pages 6-9

THE END

INDEX OF POINTS - ALPHABETICAL LISTING

POINT OR COMMUNITY	COUNTY	REFERENCE
DEL NORTE COUNTY HOSPITAL DEL PASO	DEL NORTE SACRAMENTO	SEE **CRESCENT CITY SEE #NORTH SACRAMENTO EXT AREA
DEL PASO HEIGHTS	SACRAMENTO	SEE #NORTH SACRAMENTO EXT AREA
DELPHOS DEL REY	COLUSA FRESNO	SEE **WILLIAMS MAP 3. L-16
*DEL REY OAKS DEL RIO WOODS	MONTEREY SONOMA	MAP 3. F-16. SEE #HEALDSBURG
* DEL ROSA DELTA DE LUZ P O	SAN BERNARDINO LOS ANGELES SAN DIEGO	SEE PATTON #MZ 241 MAP 4. R-25
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DESCANSO JCT DESERT BEACH # DESERT CENTER * #DESERT HOT SPRINGS DESERT SHORES	SAN DIEGO RIVERSIDE RIVERSIDE RIVERSIDE IMPERIAL	MAP 4. T-27 MAP 4. V-25 MAP 4. W-24 MAP 4. U-24 MAP 4. V-25
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DEVORE DE WITT HOSPITAL #DIABLO CANYON POWER PLANT DIABLO JCT DIAMOND BAR DIAMOND D RANCH	SAN BERNARDINO PLACER SAN LUIS OBISPO CONTRA COSTA LOS ANGELES HUMBOLDT	MAP 4 AND 6. R-23 MAP 2. H-10 SEE SUPPLEMENT 3 MAP 2 AND 5. F-13 #MZ 239 MAP 1. B-5
DIAMOND K RANCH DIAMOND MATCH FACTORY DIAMOND SPRINGS DIGGER DIGGER BEND RANCH	PLACER BUTTE EL DORADO MENDOCINO SONOMA	SEE **ROSEVILLE SEE **CHICO SEE **PLACERVILLE SEE **FORT BRAGG SEE **HEALDSBURG
DI GIORGIO DILLON BEACH DILLON CREEK DILLON POINT DIMMICK STATE PARK	KERN MARIN SISKIYOU SOLANO MENDOCINO	MAP 3. N-20 MAP 2. C-11 MAP 1. C-2 SEE **BENICIA MAP 2. B-9
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ADDITION. DECISION NO. 75855

EFFECTIVE

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.
CORRECTION 12 SAN FRANCISCO, CALIFORNIA.
FOR EXPLANATION OF ABBREVIATIONS, REFERENCES OR SYMBOLS SEE PAGES 4-9

INDEX OF POINTS - ALPHABETICAL LISTING

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DIXIELAND	IMPERIAL	MAP 4. V-27
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* *DOS PALOS	MERCED	MAP 3. J-15
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NO CHANGE ON THIS PAGE - DECISION NO. **75855**

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