

Decision No. 76331

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

Case No. 5437
Petition for Modification
No. 187
(Filed August 20, 1969)

OPINION AND ORDER

Minimum Rate Tariff 17 (MRT 17) names rates for the transportation of rock, sand and gravel, in dump truck equipment, from defined production areas to designated delivery zones and points. Section 2 of MRT 17 lists the specific delivery points to which area-to-point rates are applicable under the provisions of Item 120 of the tariff. This item provides that rates to delivery points listed in Section 2 of the tariff shall be three cents (3¢) per ton less than the otherwise applicable rates to the zones provided within MRT 17.

The Southern California Rock Products Association seeks the inclusion of additional plant sites as named delivery points in Section 2 of MRT 17. The names and addresses of the plants sought to be included as delivery points are set forth in Appendix A of the petition. Petitioner alleges that the proposed delivery points are comparable to, or surpass in facilities, equipment and area, many of the delivery points currently listed in Section 2 of the tariff. Such plants assertedly come within the general classification, or so-called criteria, previously established as a basis for the area-to-point rates (Decision No. 57675, dated December 2, 1958, in Case

C. 5437, Pet. 187 Mjo

No. 5437) and most recently cited in Decision No. 74286 of June 25, 1968, in Case No. 5437.^{1/}

Petitioner states that since unloading services at the plant sites involved are performed under substantially the same favorable conditions as the plant sites now listed as delivery points in Section 2 of MRT 17, equal reductions from established zone rates should apply to the former plant sites in question. It is contended that unless MRT 17 is modified so as to include the proposed delivery points, unreasonable discrimination will continue to exist to the benefit of the plant sites listed in Section 2 of MRT 17, and to the detriment of the plant sites listed in Appendix A of the subject petition.^{2/}

The certificate of service shows that a copy of the verified petition was mailed to various known interested parties on or about August 13, 1969. The petition was listed on the Commission's Daily Calendar of August 21, 1969. No objection to the granting of the sought relief has been received.

1/ Criteria which are a basis of the area-to-point rates are as follows: (1) The consignee's facilities permit receipt of shipments transported by dump truck-and-trailer units; adequate space for transfer of trailer bodies to dump trucks is available within 150 feet of dumping point of shipment; (2) Consignee has received, or expects to receive, at least 1,000 tons of rock products per year; (3) Consignee maintains personnel on duty, while transportation is being furnished, for purpose of signing delivery tickets and other operations necessary to the receipt of the shipments; (4) Consignee's facilities include space for bunker reception or stockpiling of rock and/or sand in quantities of at least 50 tons at one time; and (5) Average loading and unloading time for dump truck-and-trailer combination does not exceed, in total, 30 minutes per 24 tons.

2/ An original signed affidavit for each of the proposed delivery points is attached and made a part of Petition No. 187. The affidavits are offered in support of petitioner's allegations, and to establish that all proposed points come within the purview and application of Item 120 of MRT 17.

Upon consideration of petitioner's representations in this matter, the Commission finds that the circumstances in which rock, sand and gravel are delivered to the various plant sites involved herein substantially conforms to, or are more favorable than the transportation conditions which constitute the criteria for the area-to-point rates named in Minimum Rate Tariff 17. The Commission further finds that the extension of the area-to-point system of rates in Minimum Rate Tariff 17 to the plant sites proposed by petitioner has been shown to be just and reasonable.

We conclude that Petition for Modification No. 187 should be granted and that Minimum Rate Tariff 17 should be amended accordingly. A public hearing is not necessary.

IT IS ORDERED that:

1. Minimum Rate Tariff 17 (Appendix B to Decision No. 69469, as amended) is hereby further amended by incorporating therein, to become effective December 6, 1969, the revised pages attached hereto and listed in Appendix A, also attached hereto, which pages and appendix are made a part hereof.

2. In all other respects said Decision No. 69469, 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 24th day of OCTOBER, 1969.

William J. ...
President
[Signature]
[Signature]
Vernon L. Sturgeon
Commissioners

APPENDIX A TO DECISION NO. 76331

List of Revised Pages to Minimum Rate Tariff 17

Authorized by Said Decision

Thirty-fourth Revised Page 1-2

Second Revised Page 2-1

Second Revised Page 2-4

Second Revised Page 2-5

Second Revised Page 2-6

Second Revised Page 2-7

Second Revised Page 2-8

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(END OF APPENDIX A LIST)

SECTION 1--RULES AND REGULATIONS (CONTINUED)

*TARIFF PAGES CHECK SHEET

ORIGINAL AND REVISED PAGES AS NAMED BELOW AND SUPPLEMENT 8 CONTAIN ALL CHANGES FROM THE ORIGINAL TARIFF IN EFFECT ON THE DATES SHOWN THEREON. DECISION NUMBERS AND DATES ARE NOT SHOWN OPPOSITE PAGE REVISIONS BELOW WHICH WERE IN EFFECT PRIOR TO APRIL 20, 1968. THE DECISION NUMBERS AND DATES WILL BE SHOWN ON FURTHER REVISIONS OF SUCH PAGES.

PAGE NUMBER	REVISION NUMBER	DECISION NUMBER	DATE	PAGE NUMBER	REVISION NUMBER	DECISION NUMBER	DATE
TITLE	3RD ORIGINAL	74755	10/1/68	1-20	ORIGINAL		
1	5TH			1-21	5TH	75249	1/28/69
1-1	5TH	75149	12/27/68	1-22	3RD	75249	1/28/69
1-2	*34TH			1-23	1ST	73653	1/23/68
1-2.1	6TH	75741	6/3/69	2	2ND		
1-2.2	4TH	75848	6/24/69	2-1	*2ND		
1-2.3	3RD	75149	12/27/68	2-2	1ST	75317	2/11/69
1-2.4	6TH	76135	9/3/69	2-3	2ND	75317	2/11/69
1-3	5TH	75249	1/28/69	2-4	*2ND		
1-3.1	5TH	75249	1/28/69	2-5	*2ND		
1-4	3RD			2-6	*2ND		
1-4.1	2ND	75249	1/28/69	2-7	*2ND		
1-5	3RD	74755	10/1/68	2-8	*2ND		
1-6	5TH	74755	10/1/68	2-9	*2ND		
1-7	4TH	75249	1/28/69	2-10	*2ND		
1-8	5TH	75249	1/28/69	2-11	1ST	75317	2/11/69
1-8.1	1ST	74999	11/26/68	3	ORIGINAL		
1-9	2ND			4	2ND		
1-10	1ST			4-A	5TH	75149	12/27/68
1-11	ORIGINAL			4-A-1	5TH	75149	12/27/68
1-12	ORIGINAL			4-A-2	5TH	75149	12/27/68
1-13	1ST	74755	10/1/68	4-B	5TH	75149	12/27/68
1-13.1	ORIGINAL	73999	4/16/68	4-B-1	5TH	75149	12/27/68
1-13.2	ORIGINAL	73999	4/16/68	4-B-2	5TH	75149	12/27/68
1-14	4TH	75249	1/28/69	4-C	5TH	75149	12/27/68
1-14.1	ORIGINAL			4-CC-1	5TH	75149	12/27/68
1-15	4TH	75249	1/28/69	4-E	5TH	75149	12/27/68
1-15.1	1ST	75249	1/28/69	4-E-1	5TH	75149	12/27/68
1-16	4TH			4-E-2	5TH	75149	12/27/68
1-17	ORIGINAL			4-F	5TH	75149	12/27/68
1-18	ORIGINAL			4-F-1	5TH	75149	12/27/68
1-19	ORIGINAL			4-F-2	5TH	75149	12/27/68

* CHANGE

EFFECTIVE

CORRECTION 1231

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
 SAN FRANCISCO, CALIFORNIA.

SECTION 2--AREA-TO-POINT RATES	
COMMODITIES as described in Item 60	
List of Delivery Points to Which Area-to-Point Rates Are Applicable Under Item 120	
Delivery Point	Delivery Zone
A & A Ready Mixed Concrete 134 West Redondo Beach Blvd., Gardena (P.O.)-----	19225
American Pipe & Construction Co. 4650 East Mason, South Gate -----	19207
Arrow Building Material 19650 East Arrow Highway, Covina (P.O.)-----	19334
Artesia Ready-Mix Concrete 13134 East South Street, Cerritos -----	19453
Asphalt Service (A & L Asphalt Company, dba) Lawrence Canyon 1/2 mile East of Hill Street, Oceanside-----	38
Azusa Western, Inc. #4221 E. Bandini Boulevard, Los Angeles -----	19419
1347 1/2 West 208th Street, Los Angeles (Torrance P.O.)-----	19231
1310 East Grand Avenue, Pomona -----	19355
4401 West MacArthur Boulevard, Santa Ana -----	30063
#12222 E. Florence Boulevard, Santa Fe Springs -----	19438
14528 Edwards Street, Westminster -----	30041
# ADDITION	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	
CORRECTION 1232	

SECTION 2--AREA-TO-POINT RATES (Continued)

COMMODITIES as described in Item 60

List of Delivery Points to Which Area-to-Point Rates
 Are Applicable Under Item 120 (Continued)

Delivery Point	Delivery Zone
Consolidated Rock Products Co.	
136 North Brea Boulevard, Brea -----	30003
7001 Deering Avenue, Canoga Park -----	19051
9645 East Washburn Road, Downey -----	19443
Ellwood Station Road at Southern Pacific Company right-of-way, Ellwood -----	42032
339 South Aviation Boulevard, El Segundo -----	19215
2009 East Pacific Coast Highway, Long Beach -----	19464
3220 San Fernando Road, Los Angeles -----	19125
505 South Greenwood Avenue, Montebello -----	19421
11511 South Prospect Avenue, Orange (P.O.) -----	30028
552 South Raymond Avenue, Pasadena -----	19315
#32008 Del Obispo, San Juan Capistrano -----	30101
#4115 West Talbert Avenue, Santa Ana -----	30063
3 South Salsipuedes Street, Santa Barbara -----	42015
13949 East Stage Road, Santa Fe Springs -----	19440
6029 Vineyard Avenue, Saticoy -----	56059
7621 Katella Avenue, Stanton -----	30034
11401 Tuxford Street, Sun Valley -----	19040
22432 South Vermont Avenue, Torrance (P.O.) -----	19238
2730 South Alameda Street, Vernon -----	19177
8633 Melrose Avenue, West Hollywood -----	19153
11122 West Pico Boulevard, West Los Angeles -----	19184
1020 Blinn Street, Wilmington -----	19245

ADDITION

EFFECTIVE

CORRECTION 1233

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
 SAN FRANCISCO, CALIFORNIA.

SECTION 2--AREA-TO-POINT RATES (Continued)	
COMMODITIES as described in Item 60	
List of Delivery Points to Which Area-to-Point Rates Are Applicable Under Item 120 (Continued)	
Delivery Point	Delivery Zone
Dewey & Bobs Ready-Mixed Concrete 1650 East Spring Street, Signal Hill-----	19465
Diamond H Transit-Mixed Concrete 856 Richmond Avenue, Oxnard-----	56104
Downey Building Materials 11432 South Paramount Boulevard, Downey-----	19443
#The Flintkote Company - Blue Diamond Division 10831 North Hewes Avenue, Orange----- 4127 West Talbert Avenue, Santa Ana-----	30028 30063
Foster Sand & Gravel Co. 201 Commercial Street, Anaheim ----- 135 North Brea Boulevard, Brea ----- 12792 Soule Street, at end of Joy Street, Garden Grove-----	30013 30003 30043
#E. W. French & Sons, Inc. 12421 South Ramona Avenue, Hawthorne-----	19213
G & E Ready Mixed Concrete 2521 East Artesia Boulevard, Long Beach----- 1385 Orizaba Avenue, Long Beach-----	19447 19464
Glendale Ready Mixed Concrete 4549 Brazil Street, Los Angeles-----	19106
# ADDITION	
EFFECTIVE	
CORRECTION 1234	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 2--AREA-TO-POINT RATES (Continued)	
COMMODITIES as described in Item 60	
List of Delivery Points to Which Area-to-Point Rates Are Applicable Under Item 120 (Continued)	
Delivery Point	Delivery Zone
#Greene's Ready Mixed Concrete Co. 19030 South Normandie Avenue, Torrance -----	19232
Griffith Company 1601 Alameda Street, Wilmington -----	19245
Groty Ready-Mix 34212 Santa Fe Avenue, Capistrano Beach -----	30102
Huntington Beach Ready Mix Concrete Co. 7391 Talbert Avenue, Huntington Beach -----	30061
Hurst Concrete Products Company 332 East Haley Street, Santa Barbara -----	42016
Hydro Conduit Corp. 5555 North Irwindale Avenue, Irwindale -----	19336
Industrial Asphalt 7971 Newkirk Road, Anaheim -----	30023
337 South Aviation Boulevard, El Segundo -----	19215
12052 Arrow Highway, Etiwanda -----	36043
2715 East Washington Blvd., Los Angeles -----	19418
4701 Huntington Drive, Montclair -----	36048
8182 Katella Avenue, Stanton -----	30034
# ADDITION	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA	
CORRECTION 1235	

SECTION 2--AREA-TO-POINT RATES (Continued)	
COMMODITIES as described in Item 60	
List of Delivery Points to Which Area-to-Point Rates Are Applicable Under Item 120 (Continued)	
Delivery Point	Delivery Zone
Kennedy Ready Mixed Concrete Co., Inc. 13161 Main Street, Garden Grove ----- 900 South Idaho, La Habra -----	30043 30005
Livingston-Graham, Inc. 21815 Marilla Avenue, Chatsworth ----- #18030 Washington Street, Fountain Valley ----- #6956 Cherry Avenue, Long Beach ----- 2901 182nd Street, Redondo Beach ----- 1620 19th Street, Santa Monica ----- 8122 Katella Avenue, Stanton ----- 11720 Wicks Street, Sun Valley ----- 2822 South Soto Street, Vernon ----- 12033 East Whittier Boulevard, Whittier ----- #2801 East Grant, Wilmington -----	19046 30054 19447 19227 19166 30034 19040 19418 19423 19246
Dept. of Public Service, Street Maintenance Yard, City of Long Beach, 1725 San Francisco Avenue, Long Beach -----	19466
Lyman's Ready Mixed Concrete, Inc. 1639 West Rosecrans Avenue, Gardena ----- 7277 East Rosecrans Avenue, Paramount -----	19219 19445
Midway Building Material 4531 Holt Boulevard, Montclair -----	36049
Mission Ready Mix Concrete 840 South Cucamonga Avenue, Ontario -----	36051
Municipal Asphalt Plant No. 1, City of Los Angeles 2484 East Olympic Boulevard, Los Angeles -----	19176
# ADDITION	
EFFECTIVE	
CORRECTION 1236	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 2--AREA-TO-POINT RATES (Continued)	
COMMODITIES as described in Item 60	
List of Delivery Points to Which Area-to-Point Rates Are Applicable Under Item 120 (Continued)	
Delivery Point	Delivery Zone
Owl Rock Products Co. 505 Railroad Place, Inglewood-----	19202
#360 West Washington, Pasadena-----	19305
1120 East Washington Street, Santa Ana-----	33046
Owl Service Rock Company Aqua Mansa Road and Riverside Avenue, near Bloomington-----	36075
#Pacific Rock & Gravel Co. & Kennedy Ready Mixed Concrete 24700 Wilmington Avenue, Carson-----	19245
Pacific Western Industries, Inc. 942 Azusa Avenue, City of Industry-----	19408
9614 South Santa Fe Springs Road, Santa Fe Springs-----	19429
Pearman & Sons 14105 South Normandie Avenue, Gardena-----	19219
Pomona Block Co., Inc. 4791 Arrow Highway, Montclair-----	36048
#Pomona Ready Mix Concrete 10420 Belle Grave, Mira Loma-----	33012
2300 Baseline, San Bernardino-----	36026
20903 Currier Road, Walnut-----	19405
Puente Ready Mix, Inc. 209 North California Avenue, City of Industry-----	19385
Richardson Mill & Lumber Co. 9613 East Whittier Boulevard, Pico-Rivera-----	19422
# ADDITION	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	
CORRECTION 1237	

MINIMUM RATE TARIFF 17

SECTION 2--AREA-TO-POINT RATES (Continued)	
COMMODITIES as described in Item 60	
List of Delivery Points to Which Area-to-Point Rates Are Applicable Under Item 120 (Continued)	
Delivery Point	Delivery Zone
San Diego Consolidated Co. Lawrence Canyon, ½ mile east of Hill Street, Oceanside-----	38
San Dimas Ready Mix Concrete Co. 536 Arrow Highway, San Dimas -----	19332
Santa Ana Ready Mix 312 North Townsend Street, Santa Ana -----	30045
Skyline Concrete Sales Co. 2070 Randolph Street, Huntington Park -----	19193
Southern Pacific Milling Co. 50 South Kellogg Avenue, Goleta -----	42030
Spragues' Rock & Sand Co. 235 East Live Oak Avenue, Irwindale -----	19337
#Standard Ready Mix 2130 South Grand, Santa Ana -----	30052
7591 Hazard, Westminster -----	30042
Sully-Miller Contracting Co. 7221 Ellis Avenue, Huntington Beach -----	30061
#441 Railroad Place, Inglewood -----	19202
32nd Street at Walnut Avenue, Long Beach -----	19465
2901 182nd Street, Redondo Beach -----	19227
#2818 Barranca Road, Santa Ana -----	30073
#5625 Southern Avenue, South Gate -----	19444
20900 South Normandie Avenue, Torrance (P.O.) -----	19232
# ADDITION	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	
CORRECTION 1238	

SECTION 2--AREA-TO-POINT RATES (Continued)

COMMODITIES as described in Item 60

List of Delivery Points to Which Area-to-Point Rates
Are Applicable Under Item 120 (Continued)

Delivery Point	Delivery Zone
Transit Mixed Concrete Co.	
435 North Eucalyptus Avenue, Inglewood-----	19202
2400 East South Street, Long Beach (P.O.)-----	19456
#625 Lamar Street, Los Angeles-----	19374
1000 North La Brea Avenue, Los Angeles-----	19141
144 North Halstead Street, Pasadena-----	19311
8960 Bradley Avenue, Sun Valley-----	19040
#Triangle Rock Products, Inc.	
Porphyry & Quarry Streets, Corona-----	33050
Spruce Street, Riverside-----	33005
25183 Cottonwood Avenue, Sunny Mead-----	33038
#Tri-City Concrete	
Singleton Road & Interstate # 10, Calimesa-----	33070
238 East 2nd Street, Perris-----	33077
8203 Alabama Street, Redlands-----	36031
7747 Evans Street, Riverside-----	33045
1910 West 7th Street, San Bernardino-----	36026
2006 North Campus, Upland-----	36018
United Ready Mixed Concrete Co.	
4988 Firestone Boulevard, South Gate-----	19207
11725 Artesia Boulevard, Artesia-----	19450
Upland Concrete Products Co.	
1337 Bowen, Upland-----	36046
Valley Ready-Mix	
505 South Benson Avenue, Ontario-----	36050
Valley Wide Ready Mixed Concrete Corp.	
13950 East Los Angeles Avenue, Moorpark-----	56076
Vernon Asphalt Materials Co.	
3100 Bandini Boulevard, Vernon-----	19418

ADDITION

EFFECTIVE

CORRECTION 1239

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
SAN FRANCISCO, CALIFORNIA.