

ORIGINAL

Decision No. 76369

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 (commodi-
ties for which rates are provided in
Minimum Rate Tariffs Nos. 7 & 17).

Case No. 5437
(Petition for Modification
No. 191)
(Filed October 8, 1969)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 76364, entered today in Case
No. 5432 (Petition for Modification No. 557) et al., authorized
amendment of Minimum Rate Tariffs Nos. 1-B, 2, 5, 7, 9-B, 17 and
19 to cover transportation by dump truck carriers. The decision
also provided that, in order to avoid duplication of tariff distri-
bution, Minimum Rate Tariffs Nos. 7 and 17 should be amended by
separate order in this proceeding.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 7 (Appendix "A" to Decision
No. 32566, as amended) is hereby further amended by incorporating
therein to become effective December 9, 1969, Third Revised Title
Page, Thirteenth Revised Page 3-A and Twentieth Revised Page 4
attached hereto and by this reference made a part hereof.

2. Minimum Rate Tariff 17 (Appendix "B" of Decision
No. 69469, as amended) is hereby further amended by incorporating
therein to become effective December 9, 1969, Fourth Revised Title
Page, Thirty-fifth Revised Page 1-2, Fourth Revised Page 1-5 and

Sixth Revised Page 1-8 attached hereto and by this reference made a part hereof.

3. The rates, charges and rules set forth in Minimum Rate Tariffs Nos. 7 and 17 are established and approved as the just, reasonable and nondiscriminatory minimum rates and charges to be assessed, charged and collected, and the rules to be observed by all dump truck carriers as defined in the Highway Carriers' Act for the transportation of mining, building, paving and construction materials, except cement or liquids, in bulk in dump truck equipment between the points for which rates are provided in said tariffs.

4. In all other respects, Decisions Nos. 32566 and 69469, 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 4th day of November, 1969.

William Symons Jr.
President

Robert J. [unclear]
[unclear]

[unclear]
[unclear]

Vernon L. Sturgeon
Commissioner

MINIMUM RATE TARIFF 7

(FORMERLY CITY CARRIERS' TARIFF NO. 6--
HIGHWAY CARRIERS' TARIFF NO. 7)

NAMING

MINIMUM RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION OF PROPERTY IN DUMP TRUCK

EQUIPMENT BETWEEN POINTS IN CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

*DUMP TRUCK CARRIERS

IMPORTANT NOTICE

Reference in this or other tariffs to City Carriers' Tariff No. 6--Highway Carriers' Tariff No. 7 shall be construed as referring to Minimum Rate Tariff 7.

The original tariff contains rates, rules and regulations established in Decision No. 32566, in Cases Nos. 4246 and 4434. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

* Addition, Decision No. **76369**

Correction 1311

EFFECTIVE
(Original Tariff Effective January 3, 1940)

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

| SECTION 1--RULES | ITEM |
|---|--|
| <p data-bbox="573 479 1012 528">DEFINITION OF TECHNICAL TERMS (Items 10, 11 and 12)</p> <p data-bbox="138 604 1386 682">BATCHING PLANT means an installation (structure and appurtenant storage area) at which the ingredients for the production of concrete are received, stored, weighed, batched and subsequently transported therefrom.</p> <p data-bbox="138 705 1392 757">* CARRIER means a radial highway common carrier, a highway contract carrier, or a dump truck carrier as defined in the Highway Carriers' Act.</p> <p data-bbox="138 781 1361 859">COMMERCIAL PRODUCING PLANT means an installation (structure and appurtenant storage area) at which rock, sand, and/or gravel are processed as to size and/or grade and placed in stockpiles or bunkers.</p> <p data-bbox="138 882 1376 1140">COMMON CARRIER RATE means any intrastate rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; any interstate or foreign rate or rates of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully in effect at time of shipment; also any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b) (8) of Part II of the Interstate Commerce Act.</p> <p data-bbox="138 1163 1349 1242">CONCRETE ARTICLE FACTORY means an installation (structure and appurtenant storage area) at which the ingredients of concrete are received, stored, weighed and batched, and concrete articles are manufactured therefrom on the premises.</p> <p data-bbox="138 1265 1351 1317">CONSIGNEE means the person, firm or corporation to whom the property is to be physically delivered by the carrier.</p> <p data-bbox="138 1341 1349 1393">CONSIGNOR means the person, firm or corporation from whom the property was physically received by the carrier for transportation.</p> <p data-bbox="138 1416 1395 1494">DEBTOR means the person assuming responsibility for payment of transportation charges. It also includes an overlying carrier when he utilizes the services of an underlying carrier.</p> <p data-bbox="138 1518 1274 1570">DIRECTORY means Southern California Production Area and Delivery Zone Directory 1.</p> <p data-bbox="235 1593 807 1619">DISTANCE TABLE means Distance Table 7.</p> <p data-bbox="138 1643 1351 1695">DISTRIBUTING YARD means an area for storage of rock, sand, gravel, or cold road oil mixture (commonly called "plant mix") in piles, bins, silos or bunkers.</p> <p data-bbox="647 1718 970 1744">(Continued in Item 11)</p> | <p data-bbox="1542 1106 1590 1132">610</p> |
| <p data-bbox="297 1846 889 1898">6 Change) Decision No. 76369 * Addition)</p> | |
| EFFECTIVE | |
| ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA | |

| SECTION 1--RULES (Continued) | ITEM |
|--|------|
| <p align="center">APPLICATION OF TARIFF--CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the highway Carriers' Act. They apply for transportation of property by radial highway common carriers, highway contract carriers and *dump truck carriers, as defined in said Highway Carriers' Act, in bulk in dump truck equipment.</p> <p>The rates and rules contained in this tariff shall apply to transportation by underlying carriers (independent-contractor subhaulers) when such transportation is performed for other carriers, as provided in Item 94.</p> | 620 |
| <p align="center">APPLICATION OF TARIFF--GENERAL</p> <p>Rates in this tariff do not apply to the transportation of:</p> <p>(a) Property of the United States or property transported under an agreement whereby the United States contracted for the carrier's service.</p> <p>(b) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.</p> <p>(c) Property for which rates are provided in Minimum Rate Tariff 17, when said property is transported under the provisions of such tariff. (See Exception.)</p> <p>(d) Property which is exempt from regulation by the Interstate Commerce Commission under Section 203(b)(8) of the Interstate Commerce Act.</p> <p>For rates for the transportation of commodities in dump truck equipment, other than as provided in this tariff, see Minimum Rate Tariff 1-B, 2, 5, 9-B, 17 or 19, as the case may be.</p> <p>EXCEPTION.--Distance rates on decomposed granite in Item 131 of this tariff alternate with the zone rates in Section 21 of Minimum Rate Tariff 17 from Production Areas 19-EE, 19-Q, 19-QA, 19-QB, 19-R and 19-Z.</p> | 25 |
| <p align="center">APPLICATION OF TARIFF--TERRITORIAL</p> <p>Rates in this tariff apply for transportation between all points within the State of California.</p> | 30 |
| <p align="center">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs.</p> | 35 |
| <p align="center">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be:</p> <p>(a) For all shipments other than those described in paragraph (b) of this item: the actual mileages traversed, including any detour to and from scales to obtain weight of shipment.</p> <p>(b) For shipments of lightweight aggregates when moving within the Northern Territory under rates named in Item 138: the shortest resulting mileage, computed in accordance with the method provided in the Distance Table.</p> | 40 |
| <div> <div> * Change * Addition </div> <div>)) </div> <div> Decision No. 76369 </div> </div> | |
| EFFECTIVE | |
| <div> Correction 1313 <div>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</div> </div> | |

MINIMUM RATE TARIFF 17

NAMING

MINIMUM ZONE AND AREA-TO-POINT

RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION OF PROPERTY

IN DUMP TRUCK EQUIPMENT FROM

DEFINED PRODUCTION AREAS TO DESIGNATED DELIVERY ZONES

AND POINTS IN SOUTHERN CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

#DUMP TRUCK CARRIERS

The original tariff contains rates, rules and regulations established in Decision No. 69469 in Case No. 5437. Changes will be made by issuing revised or added pages or by issuing supplements.

ADDITION

CORRECTION 1240

EFFECTIVE
(Original Tariff Effective October 1, 1965)

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

*SECTION 1--RULES (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 | *4TH | | | 1-20 | ORIGINAL | | |
| 1 | ORIGINAL | | | 1-21 | 5TH | 75249 | 1/28/69 |
| 1-1 | 5TH | 75149 | 12/27/68 | 1-22 | 3RD | 75249 | 1/28/69 |
| 1-2 | *35TH | | | 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 | *4TH | | | 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 | *6TH | | | 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-CC | 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

| *SECTION 1--RULES (Continued) | ITEM |
|---|------|
| <p>DEFINITION OF TECHNICAL TERMS (Items 20, 21 and 22)</p> <p>ASPHALTIC CONCRETE is a mixture of liquid or penetration type asphalt and rock, sand, gravel and/or similar material. The term is inclusive of products known as "hot stuff," "plant mix," "cold road oil mixture" and "cold liquid asphalt, in containers".</p> <p>BATCHING PLANT means an installation (structure and appurtenant storage area) at which the ingredients for the production of concrete are received, stored, weighed, batched and subsequently transported therefrom.</p> <p>*CARRIER means a radial highway common carrier, a highway contract carrier or a dump truck carrier, as defined in the Highway Carriers' Act.</p> <p>COLD ROAD OIL MIXTURE-See asphaltic concrete.</p> <p>COMMERCIAL PRODUCING PLANT means an installation (structure and appurtenant storage area) at which rock, sand and/or gravel are processed as to size and/or grade and placed in stockpiles or bunkers.</p> <p>COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; any interstate or foreign rate or rates of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully in effect at time of shipment; also any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b) (8) of Part II of the Interstate Commerce Act.</p> <p>CONCRETE ARTICLE FACTORY means an installation (structure and appurtenant storage area) at which the ingredients of concrete are received, stored, weighed and batched, and concrete articles are manufactured therefrom on the premises.</p> <p>CONSIGNEE means the person, firm, or corporation to whom the property is to be physically delivered by the carrier.</p> <p>CONSIGNOR means the person, firm or corporation from whom the property was physically received by the carrier for transportation.</p> <p>(Continued in Item 21)</p> | *20 |
| <p>* CHANGE # ADDITION</p> | |
| EFFECTIVE | |
| ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA | |
| CORRECTION 1242 | |

| *SECTION 1--RULES (Continued) | ITEM |
|---|------|
| <p>APPLICATION OF TARIFF--CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act. They apply for transportation of property by radial highway common carriers, highway contract carriers and dump truck carriers, as defined in said Highway Carriers' Act, in bulk in dump truck equipment.</p> | *40 |
| <p>APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodities:</p> <p>Rock, natural, crushed, chips, waste or dust (Subject to Notes 1 and 2).</p> <p>Sand,</p> <p>Gravel,</p> <p>Cement, in dry mixtures with the above commodities, in batches (Subject to Note 3).</p> <p>NOTE 1.--The term "rock", as used herein, includes stone.</p> <p>NOTE 2.--The term "rock", as used herein, does not include any rock or rocks, having a combined length and girth in excess of 65 inches per single rock.</p> <p>NOTE 3.--Rates in this tariff apply for the transportation of cement only when the volume of the cement does not exceed one-third of the volume of the shipment.</p> | 60 |
| <p>APPLICATION OF TARIFF--COMMODITIES--EQUIPMENT</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodities (Subject to Notes 2 and 3):</p> <p>Asphaltic concrete,</p> <p>Cold road oil mixture,</p> <p>Cold liquid asphalt in containers not exceeding 5 gallons capacity per container (Subject to Note 1).</p> <p>NOTE 1.--Cold liquid asphalt will be transported under the provisions of this tariff, at rates which apply for the transportation of asphaltic concrete, when tendered for transportation with, and as part of, a shipment of asphaltic concrete, and when the quantity so tendered does not exceed 15 gallons per shipment.</p> <p>NOTE 2.--When these commodities are transported in trucks without trailing equipment the rates in Sections 14, 15, 16, 17 and 20 will apply.</p> <p>NOTE 3.--When these commodities are transported in trucks with trailing equipment or tractors with trailers, the rates in Section 22 will apply.</p> | 65 |
| <p>* CHANGE) # ADDITION)</p> | |
| EFFECTIVE | |
| ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA | |
| CORRECTION 1243 | |