

Decision No. 76710

ORIGINAL

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

Case No. 7024  
(Petition for Modification  
No. 24)  
(Filed November 26, 1969)

OPINION AND ORDER

Distance Table 7 contains the basis for determining constructive mileages in connection with various minimum rate tariffs issued by the Commission. By this petition, California Trucking Association seeks the establishment of constructive mileages to the Hearst San Simeon State Historical Monument located approximately 5 miles northeast of San Simeon off State Sign Route 1. Petitioner also asks that common carriers be authorized to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in this proceeding, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

Petitioner states that frequent freight deliveries to this facility over a mountainous road create an important need for a basis of determining reasonable and suitable constructive mileages for the facility. Petitioner declares that this situation prevails because this facility is not included in Distance Table 7 as a named point and accordingly the mileages must be constructed by use of Rule 4 of the distance table.

The Commission's Transportation Division staff has prepared a report which sets forth proposed constructive mileages between points in the area involved. The staff report is received in evidence as Ex Parte Exhibit No. 1.

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

1. The constructive mileages determined by the Commission staff and 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.

IT IS ORDERED that:

1. Distance Table 7 (Decision No. 74532, as amended) is further amended by incorporating therein, to become effective March 7, 1970, Supplement 5, First Revised Page 57 and First Revised Page 58 attached hereto, which supplement and tariff pages are by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 74532, as

amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

3. 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 March 7, 1970.

4. 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 in 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, or
- (c) commodities for which rates have been established based upon Minimum Rate Tariffs Nos. 2, 3-A, 4-B, 6-A, 8, 10, 11-A, 12, 14-A and 18.

5. 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.

6. 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 27<sup>th</sup> day of January, 1970.

William J. ...  
President

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...  
Commissioners

SUPPLEMENT 5

(CANCELS SUPPLEMENT 4)

(SUPPLEMENTS 1, 2 AND 5 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. 76710

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 Hearst San Simeon State Historical Monument shall be:

Between San Simeon and Hearst San Simeon State Historical Monument:  
10 constructive miles.

The above mileage shall be used as base in determining the constructive mileage from and to Hearst San Simeon State Historical Monument.

(1) 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.

(1) Constructive mileages from and to Sacramento Municipal Utility District Rancho Seco No. 1 Power Plant, Junction Number 2718 and Clay shall be:

<u>Between</u>	<u>And</u>	<u>Constructive Mileage Distance</u>
Junction Number 2718	Sacramento Municipal Utility District Rancho Seco No. 1 Power Plant	11
Clay	Sacramento Municipal Utility District Rancho Seco No. 1 Power Plant	5

(1) Reissued from Supplement 4.

\* Addition, Decision No. 76710

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

THE END

## INDEX OF POINTS - ALPHABETICAL LISTING

POINT OR COMMUNITY	COUNTY	REFERENCE
HASTINGS JCT	SOLANO	MAP 2 AND 5. F-11
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HATCH	STANISLAUS	MAP 2. H-14
HATCHET MTN SUMMIT	SHASTA	MAP 1. G-4
HATFIELD	SISKIYOU	MAP 1. G-1
HATHAWAY	SAN LUIS OBISPO	SEE **SAN LUIS OBISPO
HATHAWAY PINES	CALAVERAS	MAP 2. K-12
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HAYDEN HILL JCT	LASSEN	MAP 1. J-4
* HAYFORK	TRINITY	MAP 1. C-5
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* *HERCULES	CONTRA COSTA	MAP 2 AND 5. E-12
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* HERLONG	LASSEN	MAP 1. K-6
HERLONG SIERRA ORDNANCE DEPOT (SIERRA ARMY DEPOT)	LASSEN	MAP 1. L-6

# ADDITION. DECISION NO.

76710

EFFECTIVE

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.  
CORRECTION 14 SAN FRANCISCO, CALIFORNIA.

FOR EXPLANATION OF ABBREVIATIONS, REFERENCES OR SYMBOLS SEE PAGES 6-9

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NO CHANGE ON THIS PAGE-DECISION NO. 76710

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