

Decision No. 80810

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 No. 17-A).

Case No. 5437
Petition for Modification
No. 234
(Filed September 26, 1972)

OPINION AND ORDER

Minimum Rate Tariff 17-A (MRT 17-A) names rates for the transportation of rock, sand and gravel by dump truck carriers. The rates are mainly zone rates which apply from defined production areas to designated delivery zones. Area-to-point rates, applicable from defined production areas to specified delivery points, are also provided. The area-to-point rates are 3 cents per ton less than the otherwise applicable zone rates.

Petitioner, All American Asphalt, operates a plant located at 14490 Edwards Street, Westminster, for the production of asphaltic concrete. This operation receives and utilizes substantial quantities of rock products. The movement of rock products to petitioner's plant is currently subject to the zone rates named in MRT 17-A. By this petition, All American Asphalt requests its plant be designated as a delivery point for shipments of rock products subject to the lower MRT 17-A area-to-point rates.

Petitioner states that the transportation circumstances in which shipments of rock products are delivered to its plant meet the following criteria established by the Commission as the basis for application of the area-to-point rates:

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.

These criteria were first established by Decision No. 57675, dated December 2, 1958, in Case No. 5437, and have been observed in subsequent designations of delivery points eligible for the area-to-point rates. Petitioner contends that, since the transportation of rock products to its plant is performed under substantially the same favorable conditions as transportation now subject to the sought area-to-point rates, the movement of rock products to its plant should also be made subject to the lower area-to-point rates. Petitioner further contends that, unless the sought rates are authorized, unreasonable rate discrimination will continue to exist for the benefit of asphaltic plants listed in Section 2 of MRT 17-A to the detriment of petitioner's plant.^{1/}

The certificate of service for Petition 234 shows that a copy thereof was mailed to various known interested parties. The

^{1/} The circumstances under which the transportation of rock products to petitioner's plant is performed are set forth in an affidavit attached to, and made a part of, the petition.

petition was also listed on the Commission's Daily Calendar of October 3, 1972. No objection to the sought amendment of MRT 17-A has been received.

Upon consideration of petitioner's representations, the Commission finds that the circumstances in which rock, sand and gravel are delivered to petitioner's plant site involved herein substantially conform to the transportation conditions which constitute the criteria underlying the area-to-point rates named in MRT 17-A. In addition, the sought extension of the area-to-point system of rates in MRT 17-A to petitioner's plant site has been shown to be just and reasonable.

We conclude that Petition for Modification No. 234 should be granted and MRT 17-A should be amended accordingly. A public hearing is not necessary.

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (Appendix C to Decision No. 80578, as amended) is hereby further amended by incorporating therein, to become effective January 20, 1973, the revised pages attached hereto and by this reference made a part hereof, said pages being specifically identified as:

First Revised Page 3-1

First Revised Page 3-2

2. In all other respects said Decision No. 80578, as amended, shall remain in full force and effect. ✓

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

Dated at San Francisco, California, this 12th day of DECEMBER, 1972.

Vernon L. Sturgeon
President
William Sproule Jr.
[Signature]
[Signature]
Commissioners

Commissioner J. P. Vakasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 3--AREA-TO-POINT RATES		ITEM
<p align="center">APPLICATION OF AREA-TO-POINT RATES</p> <p>Area-to-Point Rates are the rates set forth in Item 3020 and apply to the Delivery Points listed in this section from Production Areas located in Los Angeles County (except Antelope Valley/Mojave Desert portion thereof), Orange County, Riverside County, San Bernardino County (except Antelope Valley/Mojave Desert portion thereof) and Ventura County for the commodities described in Item 60 only.</p> <p>Unless otherwise specifically provided within this section, there is no applicable Area-to-Point Rate to a Delivery Point if no zone rate is provided within this tariff.</p>		3000
<p align="center">AREA-TO-POINT RATES</p> <p>The Area-to-Point Rates described in Item 3000 shall be 3 cents per ton less than the otherwise applicable zone rates to the appropriate Delivery Zone.</p>		3020
LIST OF DELIVERY POINTS		
Delivery Point		Delivery Zone
A & A Ready Mixed Concrete 134 West Redondo Beach Blvd., Gardena (P.O.)-----		19925
#All American Asphalt 14490 Edwards Street, Westminster-----		30041
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 1/4 mile East of Hill Street, Oceanside-----		38
Azusa Western, Inc. 4221 East 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 East Florence Boulevard, Santa Fe Springs-----		19438
14528 Edwards Street, Westminster-----		30041
<p># Addition, Decision No. 80810</p>		
EFFECTIVE		
<p align="center">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>		
Correction		

SECTION 3--AREA-TO-POINT RATES (CONTINUED)

LIST OF DELIVERY POINTS (Continued)

Delivery Point	Delivery Zone
Berlin Brothers Ready Mix Concrete 2457 North Ventura Avenue, Ventura -----	56048
Blacktop Materials Co. 9120 Norris Avenue, Sun Valley -----	19040
Carlson Building Materials Co. 1432 Thousand Oaks Boulevard, Thousand Oaks -----	56113
Chamber-Mix Concrete, Inc. 10732 South Rose Street, Stanton -----	30034
11236 Western Avenue, Stanton -----	30034
Chandler's Palos Verdes Sand & Gravel Co. 385 Walnut Street, Gardena (P.O.) -----	19225
26311 Narbonne Avenue, Rolling Hills Estates -----	19248
25701 South Crenshaw Boulevard, Torrance -----	19249
Claremont Transit Mixed Concrete Co. 925 East Maryland Avenue, Claremont -----	19329
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
750 East Los Angeles Avenue, Moorpark -----	56076
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 Salaspuedes 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
Copp Paving Co., Inc. 11927 South Greenstone Avenue, Santa Fe Springs -----	19438

No change on this page, Decision No.

80810

EFFECTIVE

CORRECTION

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