

Decision No. 81363

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 sand, rock, gravel  
and related items (commodities for  
which rates are provided in Minimum  
Rate Tariff No. 7.)

Case No. 5437

Petition for Modification  
No. 231

(Filed August 14, 1972)

OPINION AND ORDER

By this petition, California Dump Truck Owners Association seeks deletion (cancellation) of Items 245 and 247 from Minimum Rate Tariff 7. These items contain zone rates for transportation of decomposed granite in dump truck equipment from San Diego County Production Area I at Oceanside to designated delivery zones in San Diego and Orange Counties.

According to the petition, the production of rock, sand, gravel and decomposed granite has been discontinued at the production area because the deposit has been exhausted. Petitioner alleges, therefore, that continuation of the zone rates in question serves no purpose. Petitioner states that it has been authorized by San Diego County Rock Producers Association and also by Asphalt Service (owner of the property) to state that they have no objection to the granting of the petition. Petitioner states that this matter appears to be one which can be handled ex parte, but recommends in the interest of economy of tariff distribution (service upon parties) that it be joined for hearing with Order Setting Hearing 213 in Case No. 5437.

Copies of the verified petition were served upon interested parties. The petition was listed in the Commission's Daily Calendar. No objection to cancellation of the subject zone rates has been received.

In the circumstances it appears and the Commission finds that petitioner's proposal to cancel the zone rates in question is reasonable and justified. It further appears that no economy or other good purpose would result by consolidating this matter with Order Setting Hearing 213. Because there is no current movement of decomposed granite under the rates involved, and since the deposit has been exhausted, no findings are required under Rule 23.1 of the Commission's Rules of Procedure.

The Commission concludes that Petition for Modification No. 231 should be granted, and that Minimum Rate Tariff 7 should be amended accordingly. A public hearing is not necessary.

IT IS ORDERED that:

1. Minimum Rate Tariff 7 (Appendix A of Decision No. 32566, as amended) is hereby further amended by incorporating therein, to become effective June 7, 1973, Eleventh Revised Page 37-A, attached hereto and by this reference made a part hereof.

2. In all other respects, Decision No. 32566, 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 8th  
day of MAY, 1973.

Vernon L. Stenger  
President  
William J. Quinn  
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Commissioners

SECTION 3--RATES FROM PRODUCTION AREAS TO DELIVERY ZONES  
 IN CENTS PER TON (Continued)

◊Item 245 Canceled.

◊Item 247 Canceled.

◊ Increase, Decision No.

**81363**

EFFECTIVE

Correction

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