

ORIGINAL

Decision No. 81889

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 highway carriers relating to  
the transportation of sand, rock,  
gravel and related items (commod-  
ities for which rates are provided  
in Minimum Rate Tariff 7).

Case No. 5437  
Petition for Modification  
No. 214  
(Filed August 31, 1971)

ORDER DISCONTINUING PROCEEDING

Petition 214, filed by the California Trucking Association, contains the following prayer:

"Petitioner prays that the Commission direct its staff to investigate all rates in Minimum Rate Tariff No. 7 and to prepare and present evidence concerning necessary revisions in each tariff item; amend its Order Setting Hearing No. 213 accordingly; that, pending final disposition of the issues involved, the Commission issue a ten percent (10%) surcharge supplement to Minimum Rate Tariff No. 7 providing for an increase in every rate and charge in that tariff; [and] that this matter be consolidated for hearing and disposition with OSH 213 and Petition No. 212..."

Decision No. 80481 dated September 12, 1972 (as amended by Decisions Nos. 80605, 81081, 81157, and 81362) granted those portions of petitioner's request which sought consolidation of Petition 214 with Petition 212 for hearing and which sought an interim increase in rates in MRT 7 pending final disposition of the issues in OSH 213. Petition 214 was not consolidated for hearing with OSH 213.

The staff and other parties have introduced in OSH 213 and OSH 226 current cost studies, rate proposals, and other evidence to support revision of most of the rate items in MRT 7, except mileage rates on Fodder and Lightweight Aggregates in Northern Territory, and zone rates in Antelope Valley and other areas. The ✓

Commission staff advised the parties in the course of those proceedings that the staff had not prepared current studies looking to the revision of the limited number of the remaining items and that it does not have the capacity to undertake such studies at the present time.

In the circumstances, no useful purpose is served by keeping open Petition 214, inasmuch as neither the staff nor any other party is prepared to present current studies necessary to support a revision of such rates. We conclude that Petition 214 should be discontinued; and a new proceeding should be instituted when the Commission is informed that the necessary studies to underlie a revision of mileage rates on Fodder and Lightweight Aggregates and zone rates in Antelope Valley and other areas are ready for presentation at a hearing. ✓

IT IS ORDERED that the interim relief granted in Decision No. 80481 (as amended by Decisions Nos. 80605, 81081, 81157, and 81362) is made permanent; that to the extent not granted by said decisions, Petition 214 is denied; and that the proceeding in Petition 214 in Case No. 5437 is discontinued.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 14/11 day of SEPTEMBER, 1973.

Vernon L. Sturgeon  
President  
William J. Synge, Jr.  
William J. Synge, Jr.  
William J. Synge, Jr.  
William J. Synge, Jr.  
Commissioners