

LTC

ORIGINAL

Decision No. 83228

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion 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 (com-)
modities for which rates are)
provided in Minimum Rate Tariff)
Nos. 7-A and 17-A).)

Case No. 5437
Petition for Modification
No. 273
(Filed April 24, 1974)
(Amended June 10, 1974)

OPINION AND ORDER

Minimum Rate Tariff 17-A (MRT 17-A) names minimum rates for the transportation of property in dump truck equipment by highway carriers from defined production areas to designated delivery zones, which are described in Southern California Production Area and Delivery Zone Directory 1 (Directory 1). By this petition, as amended, C. L. Pharris Sand and Gravel seeks to have its production facility located in the vicinity of the junction of Temescal Canyon Road and Clay Road in Riverside County designated as a dump truck production area in Directory 1 and requests that zone rates on rock, sand and gravel be established therefrom in MRT 17 to established delivery zones in Los Angeles, Orange and Riverside Counties.¹

The description of the proposed production area is as follows:

"Beginning at the bridge numbered 7.1 on the Elsinore Branch line of The Atchison, Topeka and Santa Fe Railway Company; thence southerly along the railroad right-of-way to Temescal Canyon Road; southeasterly along Temescal Canyon Road to the private road leading to Rancho El

¹MRT 17 was cancelled by MRT 17-A effective November 15, 1972.

Hermosa; northeasterly along said private road to the east bank of Temescal Wash; northerly along the east bank of Temescal Wash to Clay Road; westerly along Clay Road to the west bank of Temescal Wash; northerly along the west bank of Temescal Wash to a point directly west from point of beginning; thence directly east along an imaginary line to point of beginning."

Petitioner is engaged in the business of producing, marketing and distributing rock, sand and gravel from its plant. Petitioner alleges that establishment of a new production area for its plant and zone rates from said plant to the points in question would eliminate rate discrimination in favor of competing rock aggregate producers and provide it with rate parity with said producers.

Appendices B and C, of the amended petition sets forth tie-in times and mileages from the proposed production area to the existing traverse network. The staff has prepared a traverse map section showing the proposed production area and tie-in data to the traverse network. The traverse map section is attached hereto as Appendix A. The staff also has prepared a runout of round trip times, one-way miles, costs and resulting zone rates. These data are included in the file in this petition as Exhibit No. 1.

Copies of the verified petition and amendment were served on interested parties on or about April 10 and June 4, 1974. The petition and amendment were listed on the Commission's Daily Calendar of April 26 and June 13, 1974. The petition was supported by California Dump Truck Owners Association. No objection to the requested ex parte handling of the matter has been received.

It is clear from the facts recited in the petition that the establishment of zone rates, as proposed, would do no more than provide, from a new point of production, rates of the same kind and character as are already available from established competing points of production in the same general area.

In the circumstances, the Commission finds that the designation of petitioner's plant area as a production area and the establishment of zone rates therefrom as hereinafter provided will result in just, reasonable, and nondiscriminatory minimum rates for the transportation involved. A public hearing is not necessary. The Commission concludes that the petition, as amended, should be granted.

IT IS ORDERED that:

1. Directory 1 (Appendix A of Decision No. 69469, as amended) is further amended by incorporating therein, to become effective September 6, 1974, Third Revised Page 183 and Third Revised Page 184, attached hereto and by this reference made a part hereof.
2. Minimum Rate Tariff 17-A (Appendix C of Decision No. 80578, as amended) is further amended by incorporating therein, to become effective September 6, 1974, Fifth Revised Page 6-R and Original Page 6-S, attached hereto and by this reference made a part hereof.
3. Tariff publications authorized to be made by common carriers as a result of this order 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, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.
4. In all other respects Decisions Nos. 69469 and 80578, as amended, shall remain in full force and effect.

C. 5437 (Pet. 273) - LTC

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

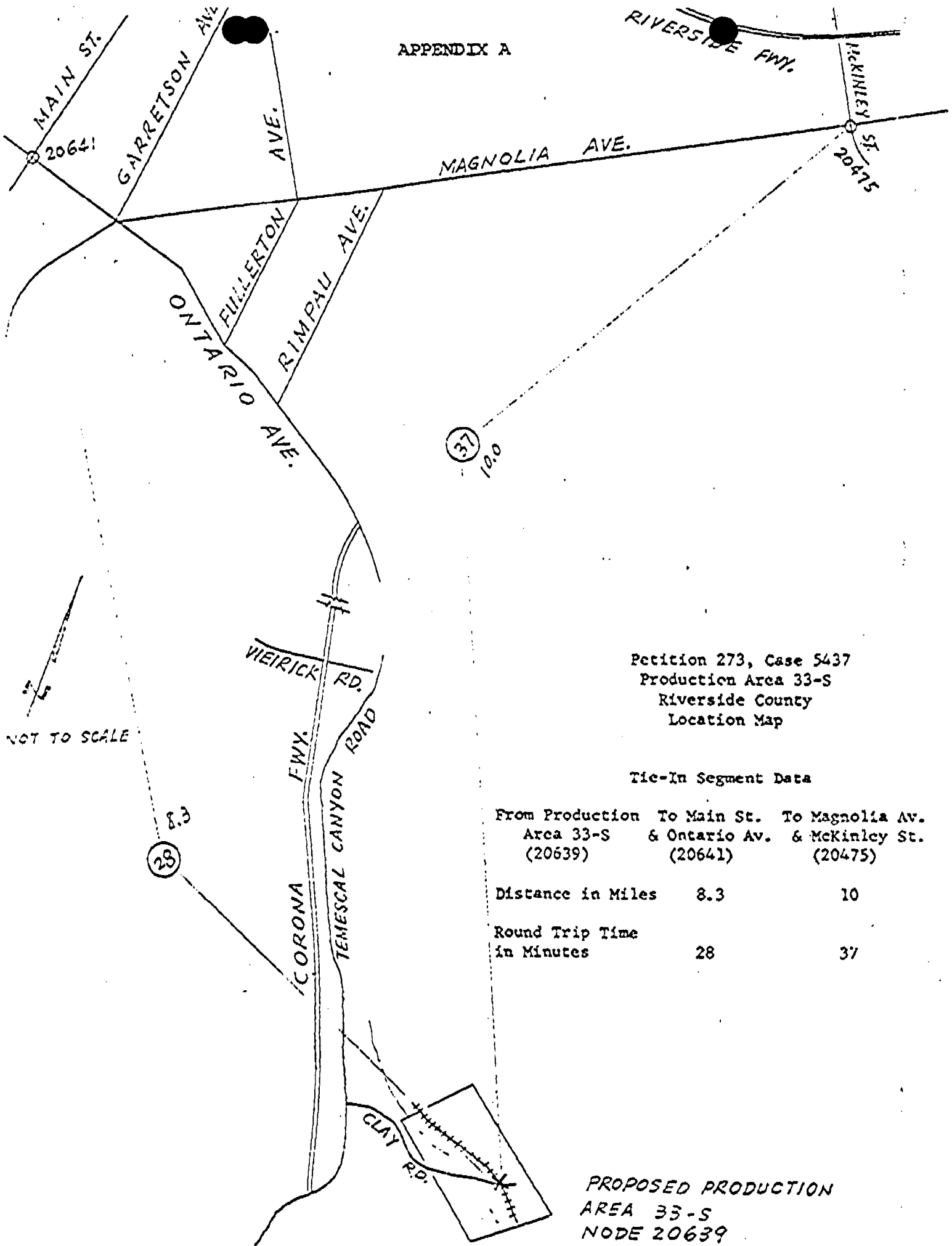
Dated at San Francisco, California, this 6th day of August, 1974.

Vernon L. Stenger
President
William J. Lyons
William J. Lyons
William J. Lyons

Commissioners

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A



SECTION 4

Descriptions of Production Areas
and Delivery Zones Located in
Riverside County

No change on this page, Decision No.

83228

EFFECTIVE

Correction

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

SECTION 4--RIVERSIDE COUNTY PRODUCTION AREAS AND DELIVERY ZONES	
RIVERSIDE COUNTY PRODUCTION AREAS	AREA
Beginning at the intersection of 26th Street and Bloomington Boulevard easterly along 26th Street and its easterly prolongation to the west bank of the Santa Ana River; northerly along the west bank of the Santa Ana River to Crestmore Avenue; westerly along Crestmore Avenue to Agua Mansa Road; northeasterly along Agua Mansa Road to Wilson Drive; westerly along the westerly prolongation of Wilson Drive to Bloomington Boulevard; southerly along Bloomington Boulevard to the point of beginning.	33-C
Beginning at the intersection of Milliken Avenue and Patton Road; east along Patton Road to Wineville Avenue; south along Wineville Avenue to Highway U.S. 60; northwesterly along Highway U.S. 60 to Milliken Avenue; north along Milliken Avenue to the point of beginning.	33-F
Beginning at the intersection of the north prolongation of Rimpau Avenue and the main line of The Atchison, Topeka and Santa Fe Railway Company; easterly along said main line to its intersection with the Temescal Branch Line of The Atchison, Topeka and Santa Fe Railway Company; southerly along said branch line to 6th Street; west along 6th Street to Rimpau Avenue; north along Rimpau Avenue and its prolongation to the point of beginning.	33-G
Beginning at the intersection of the Riverside-San Bernardino County Line with the northerly boundary line of Section 19, Township 3 South, Range 7 West; easterly along the northerly boundary line of Section 19, Township 3 South, Range 7 West to State Highway 71; southerly along State Highway 71 to the southerly boundary line of Section 19, Township 3 South, Range 7 West; westerly along the southerly boundary of Section 19, Township 3 South, Range 7 West to the Riverside-San Bernardino County Line; northerly along said line to the point of beginning.	33-O
Beginning at a point on Cajalco Street (a private road) 1,800 feet southeasterly of Magnolia Avenue; thence northeast 4/10ths of a mile; thence southeast 2,000 feet; thence southwest to Cajalco Street; thence northwesterly along Cajalco Street to the point of beginning. (Portions of Lots 3, 4 and 5 of Cajalco Tract No. 1 located within Section 32, T.3S., R.6W., SBBM.)	33-R
Beginning at the bridge numbered 7.1 on the Elsinore Branch Line of The Atchison, Topeka and Santa Fe Railway Company; thence southerly along the railroad right-of-way to Temescal Canyon Road; southeasterly along Temescal Canyon Road to the private road leading to Rancho El Hermosa; northeasterly along said private road to the east bank of Temescal Wash; northerly along the east bank of Temescal Wash to Clay Road; westerly along Clay Road to the west bank of Temescal Wash; northerly along the west bank of Temescal Wash to a point directly west from point of beginning; thence directly east along an imaginary line to point of beginning.	*33-S
* Addition, Decision No. 83228	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	
Correction	

MINIMUM RATE TARIFF 17-A

SECTION 6 - ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

FROM RIVERSIDE COUNTY PRODUCTION AREA 33-R
TO THE DELIVERY ZONES SET FORTH BELOW

ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE
19232	226	19431	186	30020	146	30070	172	33026	89	33076	151	36053	106
19233	224	19437	180	30021	138	30071	163	33027	81	33077	142	36054	104
19234	219	19438	175	30022	124	30072	161	33028	77	33078	157	36055	114
19235	206	19439	155	30023	118	30073	151	33029	75	33079	154	36056	122
19236	210	19440	161	30024	112	30074	160	33030	64	33080	155	36076	107
19237	223	19441	166	30025	100	30075	170	33031	69	33081	155	36077	96
19238	232	19442	178	30026	137	30076	177	33032	58	33082	168	36078	96
19245	224	19446	208	30027	132	30077	183	33033	56	33083	221	36079	101
19246	218	19447	199	30028	121	30078	174	33034	67	33084	210	36080	106
19260	242	19448	187	30029	124	30079	174	33035	74	33085	196	36081	111
19261	232	19449	186	30030	129	30080	172	33036	116	33086	183	36082	116
19262	225	19450	176	30031	137	30081	159	33037	121	33087	174	36083	106
19263	224	19451	166	30032	144	30080	178	33038	131	33088	165	36084	103
19264	232	19452	157	30033	156	30091	192	33039	141	33089	159	36085	98
19265	242	19453	176	30034	168	30092	184	33040	127	33090	159	36086	93
19327	158	19454	185	30035	174	30093	184	33041	110	33091	167	36087	87
19328	154	19455	195	30036	181	30094	193	33042	104	33092	165	36088	84
19329	149	19456	198	30037	185	30095	203	33043	94	33093	174	36089	90
19330	145	19457	209	30038	175	30096	189	33044	79	33094	182	36090	99
19331	145	19458	204	30039	185	30097	211	33045	65	33095	190	36091	97
19332	152	19459	200	30040	171	30098	218	33046	57	33096	201	36092	87
19332	133	19460	200	30041	168	30099	182	33047	39	33097	187		
19333	130	19461	189	30042	160	30100	194	33048	52	33098	178		
19334	136	19462	184	30043	154	30101	203	33049	59	33099	170		
19335	124	19463	190	30044	145	30102	215	33050	44	33100	179		
19336	125	19464	198	30045	145	30103	227	33051	94	33101	178		
19337	114	19465	212	30046	136	30116	224	33052	104	33102	184		
19338	113	19466	215	30047	131	30117	235	33053	119	33103	193		
19339	124	19467	193	30048	135	30118	238	33054	120	36012	137		
19360	129	19468	190	30049	150	33005	94	33055	175	36013	136		
19361	130	19469	180	30050	140	33006	92	33056	159	36014	141		
19397	143	30001	114	30051	135	33007	102	33057	157	36015	145		
19398	137	30002	123	30052	148	33008	101	33058	147	36016	150		
19399	129	30003	133	30053	157	33009	107	33059	138	36017	141		
19401	179	30004	144	30054	156	33010	98	33060	129	36018	136		
19402	160	30005	150	30055	158	33011	88	33061	125	36019	129		
19403	159	30006	160	30056	168	33012	94	33062	115	36020	125		
19404	139	30007	155	30057	180	33013	94	33063	51	36021	131		
19405	150	30008	142	30058	187	33014	100	33064	60	36022	130		
19406	156	30009	138	30059	192	33015	89	33065	134	36042	123		
19407	161	30010	114	30060	187	33016	87	33066	143	36043	120		
19408	162	30011	109	30061	177	33017	157	33067	185	36044	117		
19423	187	30012	128	30062	167	33018	126	33068	190	36045	118		
19424	182	30013	137	30063	161	33019	120	33069	193	36046	126		
19425	172	30014	139	30064	147	33020	77	33070	199	36047	128		
19426	163	30015	149	30065	144	33021	78	33071	213	36048	131		
19427	157	30016	160	30066	154	33022	76	33072	211	36049	123		
19428	163	30017	171	30067	178	33023	72	33073	200	36050	118		
19429	181	30018	164	30068	166	33024	69	33074	193	36051	117		
19430	192	30019	156	30069	173	33025	81	33075	159	36052	108		

NO CHANGE, DECISION NO. 83228 EFFECTIVE

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

SECTION 6 - ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

FROM RIVERSIDE COUNTY PRODUCTION AREA 33-S
TO THE DELIVERY ZONES SET FORTH BELOW

ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE	ZONE	RATE
19232	250	19431	210	30020	171	30070	196	33026	117	33076	182	36063	129
19233	248	19437	204	30021	162	30071	187	33027	105	33077	173	36064	128
19234	243	19438	199	30022	149	30072	185	33028	102	33078	188	36065	138
19235	230	19439	179	30023	142	30073	175	33029	99	33079	185	36066	146
19236	234	19440	185	30024	136	30074	184	33030	89	33080	186	36076	131
19237	247	19441	190	30025	124	30075	194	33031	93	33081	186	36077	122
19238	256	19442	203	30026	161	30076	202	33032	82	33082	199	36078	120
19245	248	19446	232	30027	156	30077	207	33033	88	33083	232	36079	125
19246	242	19447	223	30028	146	30078	199	33034	96	33084	241	36080	130
19260	266	19448	211	30029	148	30079	199	33035	105	33085	227	36081	136
19261	256	19449	210	30030	153	30080	197	33036	147	33086	214	36082	140
19262	249	19450	200	30031	161	30081	183	33037	152	33087	205	36083	131
19263	248	19451	190	30032	168	30082	203	33038	162	33088	196	36084	128
19264	257	19452	181	30033	180	30083	216	33039	171	33089	190	36085	122
19265	266	19453	200	30034	192	30084	208	33040	158	33090	190	36086	117
19327	183	19454	210	30035	198	30085	208	33041	141	33091	198	36087	111
19328	178	19455	219	30036	206	30086	218	33042	135	33092	197	36088	109
19329	173	19456	223	30037	210	30087	227	33043	125	33093	205	36089	114
19330	170	19457	234	30038	199	30088	214	33044	110	33094	213	36090	123
19331	170	19458	229	30039	210	30089	235	33045	96	33095	221	36091	122
19332	176	19459	224	30040	196	30090	243	33046	88	33096	232	36092	112
19333	157	19460	224	30041	192	30091	207	33047	81	33097	218		
19335	155	19461	213	30042	184	30100	218	33048	76	33098	209		
19334	160	19462	208	30043	178	30101	228	33049	83	33099	201		
19335	149	19463	215	30044	169	30102	239	33050	77	33100	210		
19336	150	19464	223	30045	169	30103	252	33051	125	33101	209		
19337	139	19465	236	30046	161	30116	248	33052	135	33102	215		
19338	137	19466	239	30047	155	30117	259	33053	150	33103	224		
19339	148	19467	217	30048	160	30118	262	33054	151	36012	161		
19360	154	19468	215	30049	174	33055	126	33055	206	36013	160		
19361	154	19469	204	30050	164	33056	123	33056	190	36014	165		
19397	168	30001	139	30051	159	33057	133	33057	188	36015	169		
19398	161	30002	147	30052	172	33058	132	33058	179	36016	174		
19399	154	30003	157	30053	181	33059	138	33059	169	36017	165		
19401	203	30004	169	30054	180	33010	122	33060	160	36018	160		
19402	194	30005	174	30055	183	33011	112	33061	156	36019	153		
19403	184	30006	184	30056	193	33012	122	33062	146	36020	149		
19404	163	30007	179	30057	205	33013	125	33063	76	36021	155		
19405	174	30008	166	30058	211	33014	131	33064	76	36022	154		
19406	180	30009	162	30059	216	33015	121	33065	165	36042	147		
19407	186	30010	138	30060	211	33016	118	33066	174	36043	145		
19408	186	30011	133	30061	202	33017	168	33067	216	36044	142		
19423	211	30012	152	30062	191	33018	158	33068	221	36045	143		
19424	206	30013	161	30063	186	33019	151	33069	224	36046	150		
19425	196	30014	163	30064	171	33020	108	33070	229	36047	153		
19426	188	30015	173	30065	168	33021	109	33071	244	36048	156		
19427	181	30016	185	30066	179	33022	107	33072	242	36049	147		
19428	188	30017	195	30067	202	33023	103	33073	231	36050	143		
19429	208	30018	188	30068	191	33024	100	33074	224	36051	141		
19430	217	30019	181	30069	197	33025	113	33075	190	36052	132		

CHANGE, DECISION NO. 83228

EFFECTIVE

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

CORRECTION

SAN FRANCISCO, CALIFORNIA.