

**ORIGINAL**

Decision No. 84175

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga- )  
tion into the rates, rules, regu- )  
lations, 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 )  
No. 7-A. )

Case No. 5437  
Order Setting Hearing 213

SUPPLEMENTAL OPINION AND ORDER

Decision No. 82061 dated October 30, 1973, in the above proceeding, canceled Minimum Rate Tariff 7 and established rates in Minimum Rate Tariff 7-A for the transportation of sand, rock, gravel and related articles by highway permit carriers in dump truck equipment.

It has come to the Commission's attention that uncertainty exists concerning the application of the hourly rates in Minimum Rate Tariff 7-A and certain commodity descriptions are duplicated in Items 30, 40 and 60.

In the circumstances, the Commission finds that the hourly rate provisions should be clarified and the commodity duplications should be eliminated by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 7-A should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 7-A (Appendix B to Decision No. 82061, as amended) is further amended by incorporating therein to become effective April 12, 1975, the revised pages

contained in Appendix A, attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they also are subject to Decision No. 82061, as amended, are directed to establish in their tariffs the amendments necessary to conform with the further adjustments ordered by this decision.

3. Tariff publications required 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 on not less than ten days' notice to the Commission and to the public and shall be made effective not later than April 12, 1975.

4. Common carriers, in establishing and maintaining the amendments authorized by this order, are 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 amendments published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects, Decision No. 82061, as amended, shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof unless, before such effective date, there shall have been filed with the Commission written response

to this order requesting public hearing in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 17th day of March, 1975.

Vernon L. Stinson  
President  
William J. ...  
...  
Leonard Ross  
Commissioners

C. 5437 (OSH213)

APPENDIX A

LIST OF REVISED PAGES TO  
MINIMUM RATE TARIFF 7-A

FIRST	REVISED	PAGE	3
FOURTH	REVISED	PAGE	10
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(END OF APPENDIX A)

## A INDEX OF COMMODITIES

COMMODITY	ITEM	COMMODITY	ITEM
Aggregates, Lightweight	50, 330, 340	Mill Scale	40, 320, 390
Ash	50, 330, 340	Mixture, Cold Road Oil	30, 300, 390, 430, 480, 490, 530, 340, 550, 560
Asphalt (M)	30, 300, 390	Mortar	30, 290, 390
Base, Cement Treated	30, 290, 390	Mud	40, 320, 390
Cake, Salt	60, 390	Ore	60, 390
Cement (M)	30, 300, 390	Perlite	40, 50, 320, 330, 340, 390
Cement Clinker	40, 320, 390	Plaster	30, 290, 390
Cinders	50, 330, 340	Pumice	50, 330, 340
Clay	40, 50, 320, 330, 340, 390	Pyrite	40, 320, 390
Compounds, Barium, Clay or Silicate Mud	40, 320, 390	Pyrophyllite	40, 320, 390
Concrete	30, 60, 290, 300, 390, 480, 490	Rock	30, 290, 390
Containers	30, 290, 390	Sand	30, 50, 290, 330, 340, 390, 430, 510, 560
Cullet	40, 320, 390	Scoria	50, 330, 340
Debris	60, 390, 400	Shale	40, 50, 320, 330, 340, 390
Dolomite	40, 320, 390	Slag	30, 40, 50, 290, 320, 330, 340, 390
Earth	30, 290, 310, 390	Slurry	60, 390
Fodder	60, 350, 390	Soapstone	40, 320, 390
Granite	30, 40, 290, 320, 390, 510	Stone	30, 290, 390, 430, 510, 560
Gravel	30, 290, 390, 430, 510, 560	Talc	40, 320, 390
Gypsum	40, 320, 390		
Loam	30, 290, 310, 390		

(M) Denotes articles on which application of rates is limited to mixed shipments.

A Change, neither increase nor reduction, Decision No.

84175

EFFECTIVE

Correction

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

SECTION 1--RULES (Continued)		ITEM
APPLICATION OF TARIFF -- Commodities		
When reference is made to this item, rates apply to the transportation of the following commodities:		
<p>**</p> <p>Concrete, broken, asphaltic or hydraulic; Concrete, premixed, wet; Debris: From street or highway maintenance, including ice, mud, and slush; also debris from drainage or flood control construction and/or maintenance projects;</p> <p>✓ Change ** Eliminated ) Decision No.</p>		<p>600</p>
<p>Fodder: Chopped green corn and sorghum grain plants, including heads, stalks, and leaves; Ore; Salt cake (crude sulphate of soda); Slurry (mixed sand, dust, crushed stone and/or gravel, wet).</p>		
84175		
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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		

ITEM	SECTION 1--RULES (Continued)												
	<p style="text-align: center;">APPLICATION OF TARIFF--GENERAL</p> <p>Rates in this tariff do not apply to the transportation of:</p> <p>(a) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.</p> <p>(b) Property of the United States or property transported under an agreement whereby the United States contracted for the carrier's service.</p> <p>(c) Property for which rates are provided in Minimum Rate Tariffs 17-A or 20 when said property is transported under the provisions of such tariffs.</p> <p>(d) Property transported for a displaced person when the cost thereof is borne by a public entity as provided in Section 7262 of the Government Code.</p> <p>For rates for the transportation of commodities in dump truck equipment, other than as provided in this tariff, see Minimum Rate Tariffs 1-B, 2, 9-B, 17-A, 19, or 20, as the case may be.</p>												
70													
	<p style="text-align: center;">APPLICATION OF TARIFF--TERRITORIAL</p> <p>Rates in this tariff apply for transportation between all points within the State of California.</p>												
80													
	<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>In addition to the charges under the rates in Sections 2, and 4, and when, through no fault of the carrier, the unloading and release of carrier's equipment at destination is delayed beyond the time allowances shown herein, the following accessorial charges shall be assessed:</p> <table><thead><tr><th></th><th style="text-align: center;"><u>a</u></th><th style="text-align: center;"><u>b</u></th><th style="text-align: center;"><u>c</u></th></tr></thead><tbody><tr><td>Charge per unit of carrier's equipment for delay beyond the time allowance shown below. Charge applies for each six(6) minutes (one-tenth of an hour) or fraction thereof</td><td style="text-align: center;">150</td><td style="text-align: center;">150</td><td style="text-align: center;">150</td></tr><tr><td>Time allowance in minutes, per unit of carrier's equipment (See Note)</td><td style="text-align: center;">30</td><td style="text-align: center;">45</td><td style="text-align: center;">30</td></tr></tbody></table> <p>a. Applies when transportation is performed by truck without trailing equipment.</p> <p>b. Applies when transportation is performed by truck with transfer type trailer.</p> <p>c. Applies when transportation is performed by truck with other than transfer type pull trailers, tractors with semitrailers or tractors with semitrailers and pull trailers operating in train.</p> <p>NOTE:--In computing the time allowances under this rule, time shall commence when the carrier arrives at point of destination.</p>		<u>a</u>	<u>b</u>	<u>c</u>	Charge per unit of carrier's equipment for delay beyond the time allowance shown below. Charge applies for each six(6) minutes (one-tenth of an hour) or fraction thereof	150	150	150	Time allowance in minutes, per unit of carrier's equipment (See Note)	30	45	30
	<u>a</u>	<u>b</u>	<u>c</u>										
Charge per unit of carrier's equipment for delay beyond the time allowance shown below. Charge applies for each six(6) minutes (one-tenth of an hour) or fraction thereof	150	150	150										
Time allowance in minutes, per unit of carrier's equipment (See Note)	30	45	30										
90													
<p>No change on this page, Decision No. <span style="float: right;">84175</span></p>													
<p style="text-align: center;">EFFECTIVE</p>													
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>													
Correction													

SECTION 3--HOURLY RATES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF HOURLY RATES</p> <p>§ Rates in this section are hourly rates and apply from, to and between points in Southern and Northern Territories as described in Item 160. Hourly rates apply only when a debtor or his agent and a carrier or his representative enter into a written agreement, before the transportation commences, that the hourly rate provisions apply. Hourly rates apply only for the transportation of property as described in Items 30, *40, 60 and 400, except as otherwise provided and for accessorial services performed in conjunction with such transportation, only for one debtor in one unit of equipment. The rates include the wages of driver only. "In the absence of an hourly agreement, rates otherwise provided in this tariff shall be assessed. When hourly rates only are provided in this tariff and in the absence of an hourly agreement, rates shall be assessed in accordance with the provisions of the applicable minimum rate tariff.</p> <p>The determination of chargeable time in the application of the hourly rates shall include the following:</p> <p>(a) From time reporting for work to the time completed hourly service.</p> <p>Δ(b) Allowances may be made only for delays caused by failure of carrier's equipment or for time taken out for meals. Time to be charged shall include time for transportation in both directions, time for loading and unloading and waiting or stand-by time at origin and/or destination. Total chargeable time shall be computed to the nearest six (6) minutes or one-tenth of an hour.</p> <p>Δ(c) In the event that a carrier is released by the shipper from further service and is re-engaged by the same shipper at a point other than the point of such release within the same 24 hour period (computed from 12:01 A.M. on the date the unit of equipment initially reports for service) hourly rates shall be assessed for the traveling time from the point of release to the subsequent origin point.</p>	<p style="text-align: center;">§360</p>
<p style="text-align: center;">MINIMUM CHARGE UNDER HOURLY RATES</p> <p>The minimum charge for services performed under the hourly rates in this section shall be the charge for one hour at the applicable rate. (See Exception)</p> <p>EXCEPTION--When debris cleanup is performed by a carrier at the hourly rates in Section 3, and when said service is performed at a job site as an incidental service to the carrier's transporting asphaltic concrete to said job site under zone rates in Minimum Rate Tariff 17-A, the minimum charge shall be that for one-half hour at the applicable hourly rate.</p>	<p style="text-align: center;">370</p>
<p>           § Change )            * Addition ) Decision No. <b>84175</b>            Δ Change, neither )                increase nor reduction )         </p>	
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	



ITEM	SECTION 3--HOURLY RATES (Continued)
380	<p style="text-align: center;">INTER-REGIONAL MOVEMENTS</p> <p>1. When dump truck equipment moves between two or more regions named in this item during one day's engagement at hourly rates, the rates applicable shall be that for the district within which the unit of dump truck equipment and driver reported for service pursuant to the shipper's order.</p> <p>2. Northern Territory is divided into two regions as follows:</p> <p>(a) San Francisco Bay Area Region consists of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, San Mateo, Santa Clara and that portion of Sonoma County beginning at the junction of the Marin-Sonoma County line and Shoreline Highway (SSR 1); northerly along Shoreline Highway (SSR 1) to Petaluma Valley Ford Road; easterly along Petaluma Valley Ford Road to Roblar Road; easterly along Roblar Road to Stony Point Road; southeasterly along Stony Point Road to West Railroad Avenue; northeasterly and easterly along West Railroad Avenue and East Railroad Avenue to Petaluma Hill Road; northerly along Petaluma Hill Road to Roberts Road; north-easterly along Roberts Road and Pressley Road to Sonoma Mountain Road; easterly along Sonoma Mountain Road to Warm Springs Road; southeasterly along Warm Springs Road to Arnold Drive; northeasterly along Arnold Drive to Sonoma Highway (SSR 12); northerly along Sonoma Highway (SSR 12) to Trinity Road; north-easterly along Trinity Road to the Sonoma County line; southerly and north-westerly along the Sonoma County line to the point of beginning.</p> <p>(b) Northern Region consists of all of the counties in Northern Territory (See Item 160) except as provided in (a) above.</p> <p>3. Southern Territory is divided into two regions as follows:</p> <p>(a) San Diego Region consists of San Diego County.</p> <p>(b) Southern Region consists of all of the counties in Southern Territory (See Item 160) except San Diego County.</p>
<p>No change on this page, Decision No. <b>84175</b></p>	
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SECTION 3--HOURLY RATES (Continued) In Cents Per Hour						ITEM
COMMODITIES, as described in Items 30, 40 and 60						
Number of Axles Per Unit of Equipment	(1) C O L U M N	FROM: Points of Origin in				
		Northern Territory (See Items 160 and 380)		Southern Territory (See Items 160 and 380)		
		Northern Region	San Francisco Bay Area Region	Southern Region	San Diego Region	
2	M	1812	2026	1854	1871	6300
	O	2590	2869	2649	2696	
	P	2180	2425	2230	2262	
3	M	2157	2378	2152	2169	
	O	2963	3255	2953	3000	
	P	2538	2793	2531	2562	
4	M	2172	2424	2229	2285	
	O	2979	3313	3037	3152	
	P	2554	2845	2612	2695	
5	M	2323	2592	2374	2418	
	O	3125	3482	3188	3285	
	P	2703	3013	2759	2828	
or more						
(1) See Item 410.						
Change      ) * Addition    ) Decision No. <b>84175</b>						
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Correction						

ITEM	SECTION 3--HOURLY RATES (Continued) In Cents Per Hour									
COMMODITY, viz.:  Debris: From demolition of buildings and structures.  For Application of Rates see Notes 1 and 2.										
Level Capacity of Dump Truck Body In Cubic Yards (See Note 1)  Over                      But Not Over		Northern Territory (See Item 160)			Kern and San Luis Obispo Counties			Southern Territory (See Item 160) Except Kern and San Luis Obispo Counties		
		(1) Columns			(1) Columns					
		M	O	P	M	O	P			
0                      6		1740	2526	2132	1497	2130	1812	1415		
6                      7		1835	2649	2240	1558	2191	1873	1466		
7                      8		1892	2706	2297	1615	2248	1930	1524		
8                      9		1992	2839	2414	1676	2315	1994	1576		
9                      10		2050	2897	2472	1728	2367	2047	1621		
10                      11		2104	2952	2526	1777	2416	2096	1666		
11                      12		2156	3003	2578	1823	2462	2142	1723		
12                      13		2208	3061	2635	1874	2523	2198	1774		
13                      14		2249	3102	2675	1911	2560	2235	1806		
14                      15		2288	3140	2714	1943	2592	2267	1839		
15                      16		2322	3175	2748	1977	2614	2300	1884		
16                      17		2371	3241	2805	2031	2706	2368	1916		
17                      18		2410	3280	2845	2067	2742	2404	1948		
18                      19		2435	3305	2870	2090	2764	2426	1980		
400	19                      20	2458	3328	2892	2107	2785	2447	2012		
20                      21		2480	3350	2915	2128	2805	2467	2044		
21                      22		2503	3373	2937	2148	2825	2487	2077		
22                      23		2525	3395	2959	2168	2845	2507	2109		
23                      24		2548	3417	2987	2188	2865	2528	2141		
24                      25		2570	3440	3004	2209	2886	2548	2173		
25                      26		2592	3462	3027	2256	2961	2610	2232		
26                      (2)		22	22	22	22	22	22	32		
(1) See Item 410. (2) Add to the rate for 26 cubic yard capacity, the amount shown opposite this reference mark for each additional cubic yard or fraction thereof.  NOTE 1.--Level capacity of dump truck body means the cubical content of the body (including the bodies of all trailers, or semitrailers in the unit of equipment) in cubic yards calculated by multiplying the inside length by the average inside width and the average inside height of the sides of the body, including temporary side boards and end boards, if such boards are used, with no allowance for the crown of the load or for low headboard or low tailgate.  In the case of a dump truck body not constructed for use of a tailgate (such as the so-called "rock body"), the inside length shall be deemed to mean the average of the measurement along the top of the sides from the inside of the headboard to the point of the angle where the sides are diverted downward to meet the floor, and the measurement along the floor from the inside of the headboard to the end of the body.  NOTE 2.--In Del Norte, Humboldt, Lassen, Modoc, Shasta, Siskiyou, Tehama and Trinity Counties, Subcolumn "P" rates shall also apply for all time, except that provided for in Subcolumn "O", during which one driver with one unit of equipment is engaged for service for one shipper in excess of 8 hours in any one shift.										
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