

ORIGINALDecision No. 84247

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Investiga-)
 tion for the purpose of consid-)
 ering and determining revisions)
 in or reissues of Minimum Rate)
 Tariff 17-A and Southern)
 California Production Area and)
 Delivery Zone Directory 1.)

Case No. 9819
 Petition for Modification
 No. 1
 (Filed January 6, 1975)

OPINION AND ORDER

Minimum Rate Tariff 17-A (MRT 17-A) names minimum rates for the transportation of asphaltic concrete, rock, sand, gravel, slag and decomposed granite by highway carriers in dump truck equipment. These rates include zone rates which apply 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, C. L. Pharris Sand and Gravel seeks to have its production facility included in Riverside County Production Area 33-T of Directory 1 and to apply zone rates established therefrom in MRT 17-A to delivery zones in Los Angeles, Orange, Riverside and San Bernardino Counties.

The description of the proposed amended Production Area 33-T is as follows:

"Beginning at the intersection of Maitri Road and State Highway 71 in Mayhew Canyon; thence easterly along State Highway 71 to Underpass No. 10.4-B on the Elsinore Branch Line of The Atchison, Topeka and Santa Fe Railway Company; thence southwesterly along a direct line to The Pacific Telephone and Telegraph Company utility pole No. 104373-H; thence southerly along the western boundary of an unnamed wash to the intersection of the unnamed wash and Ritter Road; thence northwesterly 1200 feet along Ritter Road to a point 4100 feet northerly of the boundary of Cleveland

National Forest; thence southerly 4100 feet along a direct line to the boundary of Cleveland National Forest; thence westerly 1800 feet along the boundary of Cleveland National Forest to the intersection with the prolongation of Maitri Road and the boundary of Cleveland National Forest; thence northerly along the prolongation of Maitri Road to Maitri Road; thence northerly along Maitri Road to point of beginning."

Petitioner avers that it will be producing, marketing, and distributing rock, sand, and gravel products at its new commercial production plant adjacent to the established commercial Production Area 33-T. Petitioner alleges that the enlargement of Production Area 33-T will eliminate rate discrimination in favor of competing rock aggregate producers and establish rate parity with said producers.

Petitioner states that its new facility is of the same general type and character as facilities maintained by natural rock aggregate producers for processing rock, sand and gravel as to size and grade. The scale is automated and will insure fast and accurate weighing. Petitioner believes that the terminal loading times will not be in excess of, and probably will be less than, the terminal loading times currently utilized by the Commission in establishing zone rates for rock, sand, and gravel in MRT 17-A.

The Commission's Transportation Division Freight Economics Branch staff has prepared a traverse map section showing the proposed production area and the tie-in-data to the traverse network. The traverse map section is attached hereto as Appendix A. This map is included in the file in this petition as Exhibit 1.

Copies of the petition were mailed to various shipper organizations, carrier associations and other interested parties on or about December 6, 1974. The petition was listed on the Commission's Daily Calendar of January 9, 1975. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that inclusion of the C. L. Pharris Riverside County plant area in Production Area 33-T, as described in Exhibit 1, and the establishment of zone rates therefrom 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 should be granted.

IT IS ORDERED that:

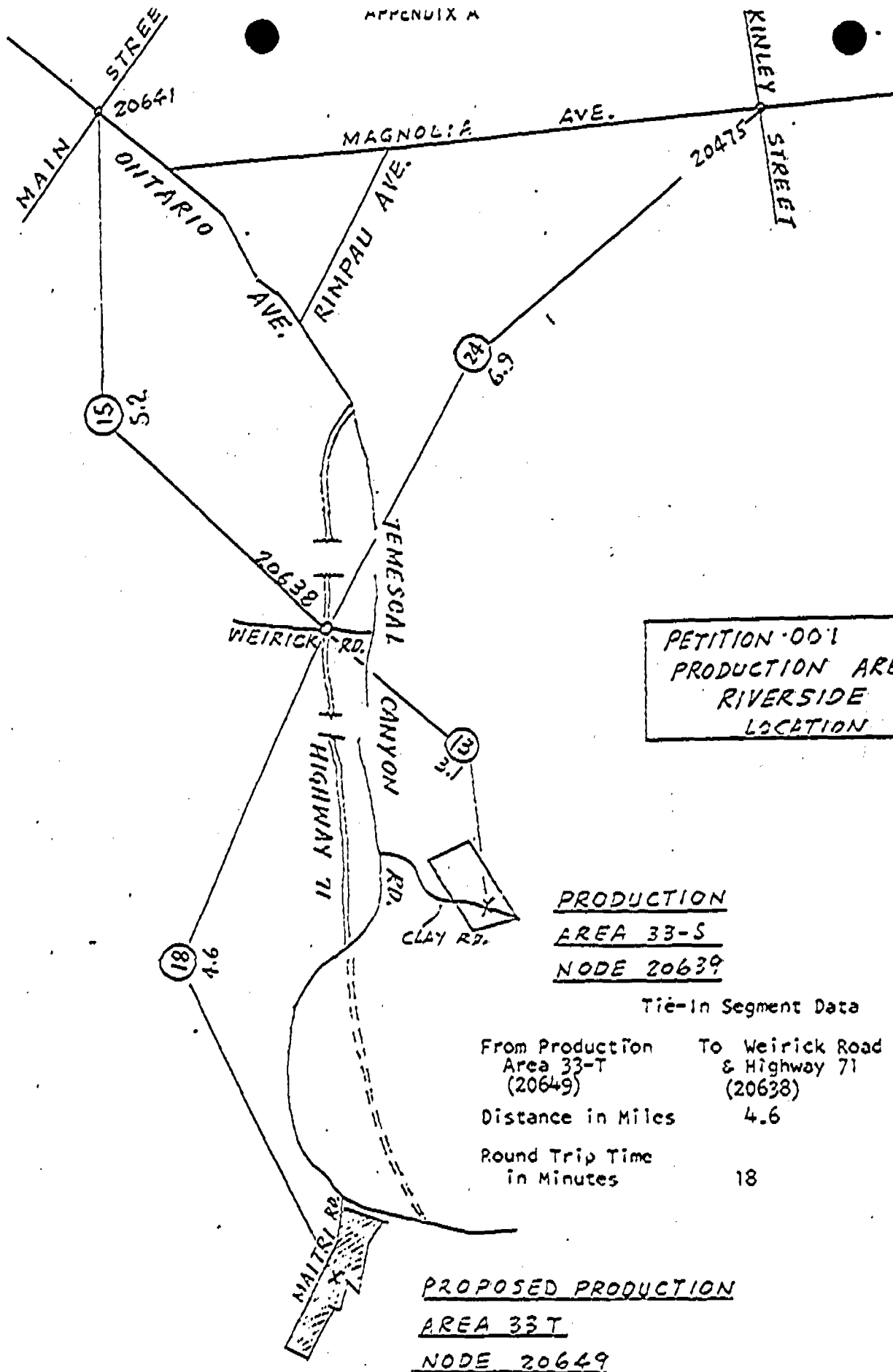
1. Directory 1 (Appendix A of Decision No. 69469, as amended) is further amended by incorporating therein to become effective April 26, 1975, Fifth Revised Page 183 and Fifth Revised Page 184 attached hereto and by this reference made a part hereof.
2. Tariff publications authorized to be made by common 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.
3. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby 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.

4. In all other respects Decision No. 69469, 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 25th day of March, 1975.

Vernon L. Stegerson
President
William J. Brown
[Signature]
Leonard Ross
Commissioners



SECTION 4

Descriptions of Production Areas
and Delivery Zones Located in
Riverside County

No change on this page, Decision No.

84247

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	AREA
<p style="text-align: center;">RIVERSIDE COUNTY PRODUCTION AREAS</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.)</p> <p>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.</p> <p>Beginning at the intersection of Maitri Road and State Highway 71 in Mayhew Canyon; thence easterly along State Highway 71 to Underpass No. 10.4-B on the Elsinore Branch Line of The Atchison, Topeka and Santa Fe Railway Company; thence southwesterly along a direct line to The Pacific Telephone and Telegraph Company utility pole No. 104373-H; thence southerly along the western boundary of an unnamed wash to the intersection of the unnamed wash and Ritter Road; thence northwesterly 1200 feet along Ritter Road to a point 4100 feet northerly of the boundary of Cleveland National Forest; thence southerly 4100 feet along a direct line to the boundary of Cleveland National Forest; thence westerly 1800 feet along the boundary of Cleveland National Forest to the intersection with the prolongation of Maitri Road and the boundary of Cleveland National Forest; thence northerly along the prolongation of Maitri Road to Maitri Road; thence northerly along Maitri Road to point of beginning.</p>	<p>33-C</p> <p>33-F</p> <p>33-C</p> <p>33-O</p> <p>33-R</p> <p>33-S</p> <p>33-T</p>
<p>Change, Decision No. 84247</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>	