

ORIGINAL

Decision No. 84281

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi-)
gation for the purpose of con-)
sidering and determining revi-)
sions 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. 3
(Filed January 10, 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 area-to-point rates which apply from defined production areas to specified delivery points for the transportation of rock, sand, and gravel. Such rates are three cents per ton less than the otherwise applicable zone rates.

By this petition, Skyline Concrete Sales Co. requests that its plant located at 9010 Norris Avenue, Sun Valley, be designated as a delivery point for shipments of rock products subject to the lower MRT 17-A area-to-point rates. Petitioner also seeks to modify the List of Delivery Points in MRT 17-A by: (1) inserting its name for that of The Flintkote Company at plants located at 6969 Deering Avenue, Canoga Park, and 8001 Fair Avenue, Sun Valley, and (2) deleting from such list its plant location at 2070 Randolph Street, Huntington Park.

According to the information contained in Appendix B of the petition, all rock products that come into the Norris Avenue, Sun Valley plant by both truck and trailer and bottom dump equipment are dumped into a bunker or are driven alongside a stockpile and dumped at its base. A belt carries the material from the underground bunker to fourteen elevated bunkers above the batch plant. The elevated bunkers and stockpiles provide a

total storage capacity on the premises in excess of 1,500 tons. Transfer of two trailer bodies may be accomplished within 100 feet of the underground bunkers. At least three trailer bodies may be transferred within 100 feet of the stockpiles. In 1974, more than 10,000 tons of material were used at this plant. There is someone on duty at the plant from 5:30 A.M. to 5:30 P.M. to sign delivery tickets and to handle the receipt of the shipments. On November 26, 1974, a total of three bottom dump units with loads in excess of 24 tons each arrived at the plant. On December 10, one truck and trailer (transfer type) arrived and on December 11, two trucks and trailers (transfer type) arrived. All three units loaded in excess of 24 tons each. Average time from arrival at the gate to departure from the gate after unloading was 5.3 minutes for the bottom dump units and 11.3 minutes for the transfer truck and trailers.

Petitioner asserts that, since the transportation of rock products to its Norris Avenue, Sun Valley plant is performed under substantially the same favorable conditions as transportation now subject to the sought area-to-point rates, the movement of rock products to said plant should also be made subject to such rates in order to avoid being subjected to undue discrimination.¹

¹Criteria which are a basis of the area-to-point rates are as follows: (1) The consignee's facilities permit receipt of shipments transported by dump truck-and-trailer units; adequate space for transfer of trailer bodies to dump trucks is available within 150 feet of dumping point of shipment; (2) consignee has received, or expects to receive, at least 1,000 tons of rock products per year; (3) consignee maintains personnel on duty while transportation is being furnished for purpose of signing delivery tickets and other operations necessary to the receipt of shipments; (4) consignee's facilities include space for bunker reception or stockpiling of rock and/or sand in quantities of at least 50 tons at one time; and (5) average loading and unloading time per dump truck-and-trailer combination does not exceed, in total, 30 minutes per 24 tons. (Decisions Nos. 57675 (1958), 76331 (1969), 76943 (1970), 78241 (1971), 79641 (1972), 80810 (1972), and 82170 (1973)).

Petitioner states that it recently acquired the two Flintkote plants and alleges that it is no longer operating the plant at Huntington Park. Petitioner avers that the volume of business and the other circumstances have been maintained at these two newly acquired facilities at levels which exceed those set forth in the criteria previously established as a basis for the area-to-point rates by Decision No. 57575.

Copies of the petition were mailed to various shipper organizations, carrier associations and other interested parties on or about January 10, 1975. The petition was listed on the Commission's Daily Calendar of January 14, 1975. No objection to the granting of the petition has been received.

Upon consideration of petitioner's representations, the Commission finds that the circumstances in which rock, sand and gravel are delivered to the plant sites involved herein substantially conform to the transportation conditions which constitute the criteria underlying the area-to-point rates named in MRT 17-A. In addition, the sought extension and elimination of the area-to-point system of rates in MRT 17-A to petitioner's plant sites have been shown to be just and reasonable. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (Appendix C of Decision No. 80578, as amended) is further amended by incorporating therein, to become effective April 30, 1975, Second Revised Page 3-3, Second Revised Page 3-4, Fourth Revised Page 3-5 and Fourth Revised Page 3-6, 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. In all other respects, Decision No. 80578, 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 1st day of April, 1975.

Vernon L. Stenger
President
William Synow Jr.
Leonard Ross

Commissioners

Commissioner Robert Batinovich

Present but not participating.

SECTION 3--AREA-TO-POINT RATES (CONTINUED)

LIST OF DELIVERY POINTS (Continued)

Delivery Point	Delivery Zone
Diamond H Transit-Mixed Concrete 856 Richmond Avenue, Oxnard-----	56104
Downey Building Materials 9645 East Washburn Road, Downey----- 11432 South Paramount Boulevard, Downey-----	19443 19443
Flintkote Company, The: ØConcrete Materials, Los Angeles ** 9505 Jefferson Boulevard, Culver City----- 17706 South Main Street, Gardena (P.O.)----- 1245 East Arrow Hwy., Irwindale----- 1650 South Alameda Street, Los Angeles----- 980 North Hewes Avenue, Orange----- 408 West Kensington Place, Pasadena----- 4127 West MacArthur Boulevard, Santa Ana----- 12976 East Firestone Boulevard, Santa Fe Springs----- **	19189 19224 19337 19176 30028 19314 30063 19441
Pomona - Associated Division 1150 South Rancho Avenue, Colton----- 10420 Belle Grove, Mira Loma----- 15th Street & Benson Avenue, Upland----- 20903 Currier Road, Walnut-----	36059 33012 36017 19405
Poster Sand & Gravel Co. 201 Commercial Street, Anaheim----- 135 North Brea Boulevard, Brea----- 12792 Soule Street, at end of Joy Street, Garden Grove-----	30013 30003 30043 19213
French & Sons, Inc., E. W. 12421 South Ramona Avenue, Hawthorne-----	19213
G & E Ready Mixed Concrete 2521 East Artesia Boulevard, Long Beach----- 1385 Orizaba Avenue, Long Beach-----	19447 19464
Glendale Ready Mixed Concrete 4549 Brazil Street, Los Angeles-----	19106
Greene's Ready Mixed Concrete Co. 19030 South Normandie Avenue, Torrance-----	19232
Griffith Company 1601 Alameda Street, Wilmington-----	19245
Groty Ready-Mix 34212 Santa Fe Avenue, Capistrano Beach-----	30102
Huntington Beach Ready Mix Concrete Co. 7391 Talbert Avenue, Huntington Beach-----	30061
Hurst Concrete Products Company 332 East Haley Street, Santa Barbara-----	42016
Hydro Conduit Corp. 5555 North Irwindale Avenue, Irwindale-----	19336

Ø Change)
** Eliminated) Decision No.

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Correction

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SECTION 3--AREA-TO-POINT RATES (CONTINUED)

LIST OF DELIVERY POINTS (Continued)

Delivery Point	Delivery Zone
Industrial Asphalt	
7971 Newkirk Road, Anaheim-----	30023
24702 Wilmington Avenue, Carson-----	19245
337 South Aviation Boulevard, El Segundo-----	19215
12052 Arrow Highway, Etiwanda-----	36043
2715 East Washington Boulevard, Los Angeles-----	19418
4701 Huntington Drive, Montclair-----	36048
1401 East Warner Avenue, Santa Ana-----	30052
13050 East Imperial Highway, Santa Fe Springs-----	19441
8182 Katella Avenue, Stanton-----	30034
Kennedy Ready Mixed Concrete Co., Inc.	
900 South Idaho, La Habra-----	30005
Livingston-Graham, a division of Brown Company	
21815 Marilla Avenue, Chatsworth-----	19046
18030 Washington Street, Fountain Valley-----	30054
6956 Cherry Avenue, Long Beach-----	19447
750 Commercial Avenue, Oxnard-----	56104
2901 182nd Street, Redondo Beach-----	19227
29261 Rosenbaum Road, San Juan Capistrano-----	30100
1620 19th Street, Santa Monica-----	19166
1368 Mission Road, Santa Paula-----	56043
8122 Katella Avenue, Stanton-----	30034
11720 Wicks Street, Sun Valley-----	19040
2822 South Soto Street, Vernon-----	19418
12033 East Whittier Boulevard, Whittier-----	19423
2801 East Grant, Wilmington-----	19246
Long Beach Department of Public Service, Street Maintenance Yard	
1725 San Francisco Avenue, Long Beach-----	19466
Los Angeles Municipal Asphalt Plant No. 1	
2484 East Olympic Boulevard, Los Angeles-----	19176
Lyman's Ready Mixed Concrete, Inc.	
7277 East Rosecrans Avenue, Paramount-----	19445
Midway Building Material	
4531 Holt Boulevard, Montclair-----	36049
Mission Ready Mix Concrete	
840 South Cucamonga Avenue, Ontario-----	36051
Owl Rock Products Co.	
505 Railroad Place, Inglewood-----	19202
16662 Construction Way, Irvine-----	30073
1420 North Lincoln Avenue, Pasadena-----	19305
1120 East Washington Street, Santa Ana-----	30046
3365 East 26th Street, Vernon-----	19418

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SECTION 3--AREA-TO-POINT RATES (CONTINUED)

LIST OF DELIVERY POINTS (Continued)

Delivery Point	Delivery Zone
Owl Service Rock Company Aqua Mansa Road and Riverside Avenue, near Bloomington-----	36075
Pacific Rock & Gravel Co. 24700 Wilmington Avenue, Carson-----	19245
Pacific Western Industries, Inc. 9614 South Santa Fe Springs Road, Santa Fe Springs-----	19429
Pearman & Sons 14105 South Normandie Avenue, Gardena-----	19219
Pomona Block Co., Inc. 4791 Arrow Highway, Montclair-----	36048
Puente Ready Mix, Inc. 209 North California Avenue, City of Industry-----	19385
Richardson Mill & Lumber Co. 9613 East Whittier Boulevard, Pico-Rivera-----	19422
San Dimas Ready Mix Concrete Co. 536 Arrow Highway, San Dimas-----	19332
Santa Ana Ready Mix 312 North Townsend Street, Santa Ana-----	30045
§Skyline Concrete Sales Co. *6969 Deering Avenue, Canoga Park-----	19051
** *8001 Fair Avenue, Sun Valley-----	19057
*9010 Norris Avenue, Sun Valley-----	19040
Southern Pacific Milling Co. 50 South Kellogg Avenue, Colleta-----	42030
Spragues' Rock & Sand Co. 235 East Live Oak Avenue, Irwindale-----	19337
Standard Ready Mix 2130 South Grand, Santa Ana-----	30052
7591 Hazard, Westminster-----	30042
Sully-Miller Contracting Co. 7221 Ellis Avenue, Huntington Beach-----	30061
441 Railroad Place, Inglewood-----	19202
32nd Street at Walnut Avenue, Long Beach-----	19465
2818 Barranca Road, Santa Ana-----	30073
5625 Southern Avenue, South Gate-----	19444
20900 South Normandie Avenue, Torrance (P.O.)-----	19232

§ Change)
 * Addition) Decision No.
 ** Eliminated)

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SECTION 3--AREA-TO-POINT RATES (CONCLUDED)

LIST OF DELIVERY POINTS (Concluded)

Delivery Point	Delivery Zone
Transit Mixed Concrete Co. 435 North Eucalyptus Avenue, Inglewood----- 2400 East South Street, Long Beach (P.O.)----- 625 Lamar Street, Los Angeles----- 1000 North La Brea Avenue, Los Angeles----- 144 North Halstead Street, Pasadena----- 8960 Bradley Avenue, Sun Valley-----	19202 19456 19374 19141 19311 19040
Tri-City Concrete 238 East 2nd Street, Perris----- 8203 Alabama Street, Redlands----- 7747 Evans Street, Riverside----- 1910 West 7th Street, San Bernardino----- 2006 North Campus, Upland-----	33077 36031 33043 36026 36018
United Ready Mixed Concrete Co. 11725 Artesia Boulevard, Artesia----- 4988 Firestone Boulevard, South Gate-----	19450 19207
Upland Concrete Products Co. 1337 Bowen, Upland-----	36046
Valley Ready-Mix 505 South Benson Avenue, Ontario-----	36050
Valley Wide Ready Mixed Concrete Corp. 13950 East Los Angeles Avenue, Moorpark-----	36076
Vernon Asphalt Materials Co. 345 Walnut Avenue, Gardena----- 501 Railroad Place, Inglewood----- 3100 Bandini Boulevard, Vernon-----	19225 19202 19418
Wagnild Ready Mixed Concrete Co. 15203 Oxnard Street, Van Nuys-----	19072
Western Rock Co. 4952 Arrow Highway, Montclair-----	36048
Williway, Inc., J. 8555 East Whittier Boulevard, Pico-Rivera-----	19422

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