

**ORIGINAL**Decision No. 84526

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 common carriers, highway  
 carriers and city carriers relating  
 to the transportation of sand, rock,  
 gravel and related items (commodi-  
 ties for which rates are provided  
 in Minimum Rate Tariff No. 7-A).

Case No. 5437  
 Petition for Modification  
 No. 265  
 (Filed February 21, 1974)  
 (Orders Granting Rehearing  
 dated January 8, 1974  
 and March 12, 1974)

SUPPLEMENTAL OPINION

Decision No. 84299 dated April 8, 1975 in the captioned proceeding made extensive revisions in the rates set forth in Minimum Rate Tariff 7-A (MRT 7-A) including changes in hourly rates in Item 390 of that tariff.

By pleading filed April 28, 1975, California Dump Truck Owners Association (CDTOA), a petitioner in Petition 265, seeks further revision of the hourly rates for 2- and 3-axle trucks.

The pleading filed by CDTOA states as follows:

CDTOA's proposal that the hourly rates for 2- and 3-axle equipment be revised without provision for a profit factor was adopted by the Commission in Decision No. 84299. CDTOA was remiss in not ascertaining that its request in this regard would result in some rate decreases. Such decreases did occur, and these in turn have precipitated bitter discussions in certain segments of the industry. Although petitioner herein does not abandon its no profit factor approach to increasing the differential between the 2- and 3-axle trucks and the larger dump truck units, it now asks that this be modified by rescinding decreases in hourly rates in effect prior to Decision No. 84299.

Notice of the filing of the request of CDTOA to further revise the hourly rates in issue was served in accordance with Commission rules. Notice of the filing appeared in the Commission's Daily Calendar of April 20, 1975. There are no protests or requests for hearing.

In the circumstances, the Commission finds that the proposed revisions of the hourly rates in question will be reasonable and concludes that the proposed revision should be adopted. MRT 7-A should be amended accordingly. A public hearing is not necessary.

Decision No. 84299 inadvertently failed to increase hourly rates in Item 400 at MRT 7-A in accordance with findings in that decision. MRT 7-A should be corrected to properly reflect the intent of Decision No. 84299. Rates in Item 400 will be increased as indicated in that decision.

SUPPLEMENTAL ORDER

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 July 1, 1975, Fourth Revised Page 40 and Fourth Revised Page 41 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 increases 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 such tariff publications shall be made effective not later than July 1, 1975; and the tariff publications which are authorized but not

required to be made by common carriers as a result of this order 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, Decision No. 82061, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 10th day of JUNE, 1975.

Vernon L. Sturgeon  
President  
William J. Mount  
Commissioners  
Robert A. ...  
Commissioners

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	01812	02026	1911	01871	0390
	O	02590	02869	2766	02696	
	P	02180	02425	2316	02262	
3	M	02157	02378	2192	02169	
	O	02963	03255	3053	03000	
	P	02538	02793	2599	02562	
4	M	2276	2463	2460	2389	
	O	3120	3396	3403	3306	
	P	2676	2905	2907	2824	
5 or more	M	2435	2638	2609	2528	
	O	3276	3570	3578	3445	
	P	2833	3080	3059	2962	
(1) See Item 410.						
of Change ) of Increase ) Decision No. 84526						
EFFECTIVE						
Correction ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.						

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MINIMUM RATE TARIFF 7-A

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)  But Over 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				
0400	0	6	1821	2693	2232	1661	2364	2011	1570		
	6	7	1897	2732	2314	1723	2427	2074	1626		
	7	8	1973	2821	2397	1785	2491	2137	1682		
	8	9	2050	2911	2479	1848	2554	2199	1737		
	9	10	2126	3000	2562	1910	2618	2262	1793		
	10	11	2202	3089	2644	1972	2681	2325	1849		
	11	12	2248	3136	2690	2016	2725	2370	1883		
	12	13	2293	3183	2737	2060	2769	2416	1917		
	13	14	2339	3229	2783	2105	2812	2461	1951		
	14	15	2384	3276	2830	2149	2856	2507	1985		
	15	16	2430	3323	2876	2193	2900	2552	2091		
	16	17	2463	3360	2911	2227	2942	2589	2126		
	17	18	2496	3396	2946	2260	2985	2626	2162		
	18	19	2530	3433	2981	2294	3027	2664	2197		
	19	20	2563	3469	3016	2327	3070	2701	2233		
	20	21	2596	3506	3051	2361	3112	2738	2268		
	21	22	2619	3530	3074	2389	3147	2770	2310		
	22	23	2643	3553	3098	2418	3181	2801	2352		
	23	24	2666	3577	3121	2446	3216	2833	2393		
	24	25	2690	3600	3145	2475	3250	2864	2435		
	25	26	2713	3624	3168	2503	3285	2896	2477		
	26	(2)	022	022	022	022	022	022	032		
	<p>(1) See Item 410.</p> <p>(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.</p> <p>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.</p> <p>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.</p> <p>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.</p>										
	<div>o Increase, except as noted</div> <div>o No change</div> <div>Decision No. 84526</div>										
	EFFECTIVE										
	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.										
Correction											