

Decision No. 84648**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
 tion into the rates, rules, reg-)
 ulations, charges, allowances and)
 practices of all common carriers,)
 highway carriers and city car-)
 riers relating to the transporta-)
 tion of sand, rock, gravel and)
 related items (commodities for)
 which rates are provided in)
 Minimum Rate Tariff No. 7-A).)

Case No. 5437
 Order Setting Hearing
 213

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

Case No. 9819

SUPPLEMENTAL OPINION AND ORDER

It has come to the Commission's attention that uncertainty exists concerning the application of the hourly rate provisions of Item 160 of Minimum Rate Tariff 17-A in connection with the transportation of asphaltic concrete in trucks with trailing equipment or tractors with trailers.

In the circumstances, the Commission finds that the hourly rate provisions should be clarified by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 17-A should be amended accordingly.

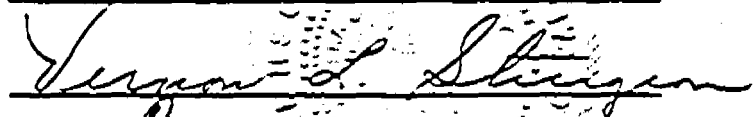
IT IS ORDERED that:

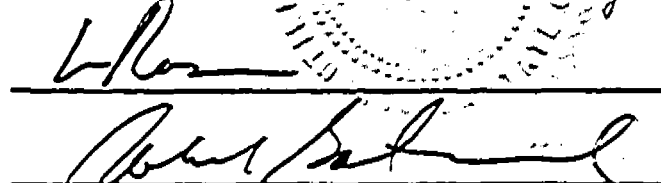
1. Minimum Rate Tariff 17-A (Appendix C to Decision No. 80578, as amended) is further amended by incorporating therein to become effective August 9, 1975, Fifth Revised Page 1-5 and Fifth Revised Page 1-6, attached hereto and by this reference made a part hereof.
2. Common carriers subject to the Public Utilities Act, to the extent that they also are subject to Decision No. 80578, 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 August 9, 1975.
4. Common carriers, in establishing and maintaining the amendments authorized by this order, are authorized to depart from the provisions of Section 461.5 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 order authorizing long- and short-haul departures and to this order.
5. 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 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 8th day of July, 1975.


President


Vernon L. Sturgeon


Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 1--RULES (CONTINUED)	ITEM
<p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodity:</p> <p>Decomposed Granite</p>	70
<p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of:</p> <p>SLAG, Blast Furnace and Open Hearth, air cooled (not expanded)</p>	75
<p 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 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>	80
<p align="center">APPLICATION OF TARIFF--RATES</p> <p>Except as otherwise provided, the rates in this tariff are zone rates and area-to-point rates. The rates apply from all points of origin within the designated production areas to all points of destination within the designated delivery zones, and to specifically named delivery points.</p> <p>If any portion of a shipment is physically delivery into or beyond more than one delivery zone, the minimum rate for the entire shipment shall be that rate from point of origin to the highest rated point where physical delivery is made. (See Exception)</p> <p>EXCEPTION.--when any portion of a shipment is delivered into more than one zone, and when no portion of such shipment is physically delivered beyond the boundaries of streets which are the boundaries between the zones involved, the minimum rate for the entire shipment shall be the lower or the lowest of the applicable rates between point of origin and the zones into which delivery is made.</p>	100
<p align="center">APPLICATION OF TARIFF--RATES--SAN DIEGO COUNTY ORIGINS</p> <p>When the transportation service is performed by 2-axle or 3-axle truck with transfer type pull trailer the rate shall be fifteen (15¢) cents per ton more than the rate provided for transportation which is performed at the rates in Section 8 in this tariff or at rates which are combined with Section 8 rates.</p>	120
<p>No change on this page, Decision No. 84648</p>	
<p align="center">EFFECTIVE</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

ITEM	SECTION 1--RULES (CONTINUED)
140	<p style="text-align: center;">APPLICATION OF TARIFF--TERRITORIES</p> <p>Rates in this tariff apply for transportation from all points within the production areas to all points within the delivery zones described in Southern California Production Area and Delivery Zone Directory 1, and to specifically named delivery points as provided in Section 3 of this tariff. They apply also, to the extent specified elsewhere herein, for transportation from all points within said production areas to points outside of said delivery zones.</p>
§160	<p style="text-align: center;">APPLICATION OF OTHER MINIMUM RATE TARIFFS</p> <p>Except as otherwise provided, the rates in this tariff supersede, and apply to the exclusion of, rates applicable to the same transportation under other minimum rate tariffs of the Commission. (See Exception)</p> <p>§EXCEPTION.--The transportation charges for commodities described in Item 65, when transported in trucks with trailing equipment or tractors with trailers, shall be performed at the hourly rates and rules in Minimum Rate Tariff 7-A. *For the purpose of this exception the written agreement provisions contained in Item 360 of Minimum Rate Tariff 7-A are not applicable.</p> <p>For rates for the transportation of commodities in dump truck equipment, other than as provided in this tariff, see Minimum Rate Tariff 2, 7-A or 9-B as the case may be.</p>
180	<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>In addition to the charges provided under Sections 8, 11, 12, 13, 14 and 15, accessorial charges shall be assessed as provided in Item 90 of Minimum Rate Tariff 7-A.</p>
	<p> § Change) * Addition) Decision No. </p> <p style="text-align: center; font-size: 1.2em;">84648</p>
	EFFECTIVE
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.