

Decision No. 84842

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
into the rates, rules, regula-)
tions, charges, allowances and)
practices of all common carriers,)
highway carriers and city carriers))
relating to the transportation of)
sand, rock, gravel and related)
items (commodities for which rates)
are provided in Minimum Rate)
Tariff No. 7-A).)

Case No. 5437
Petition for Modification No. 280
(Filed September 30, 1974)

INTERIM OPINION AND ORDER

By this petition, California Dump Truck Owners Association seeks modification of the commodity description in List A of Item 30 of Minimum Rate Tariff 7-A (MRT 7-A) by including therein "petroleum coke, in bulk." Under the proposal, the distance rock, sand, and gravel rates in MRT 7-A would apply to the transportation of such coke.

Petitioner states that intrastate shipments of petroleum coke presently move under the provisions of Minimum Rate Tariffs Nos. 2 and 15 or rate deviation authority. Petitioner alleges that conditions surrounding the aforementioned transportation have changed since it previously sought authority similar to that herein involved.^{1/} Petitioner asserts that the uses of petroleum coke as a fuel have recently developed in California because this commodity has a high heating capability and serves as a valuable supplemental source of energy. Petitioner declares that the lack of precise and reasonably stable rates serves to inhibit broader use of this commodity even though its higher thermal units could contribute to fuel conservation.

The certificate of service indicates that copies of the petition were mailed to various interested parties on September 25,

^{1/} Decision No. 82809 dated April 30, 1974, in Case No. 5437 (Petition for Modification No. 243) denied petitioner's request.

1974. The petition was listed on the Commission's Daily Calendar of October 2, 1974. Two protests were received.

In the circumstances, the Commission finds that conditions pertaining to the transportation of petroleum coke, in bulk, have changed considerably since the date Decision No. 82809 was issued in the previous proceeding and there is an urgent need for the establishment of specific rates for the transportation of such commodity. In view of the existing conditions, the Commission concludes that this petition should be granted on an interim basis. A future hearing will be held in this proceeding.

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 September 10, 1975, Second Revised Page 3, Third Revised Page 8 and Third Revised Page 9 attached hereto and by this reference made a part hereof.
2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision No. 82061, as amended, are hereby authorized to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.
3. Tariff publications authorized to be made by common carriers as a result of this order may be made effective not earlier than September 10, 1975, and may be made effective on not less than one day's 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. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby 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 orders authorizing long- and short-haul departures and to this order.

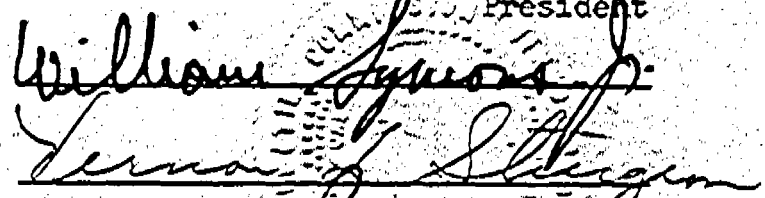
5. In all other respects Decision No. 82061, as amended, shall remain in full force and effect.

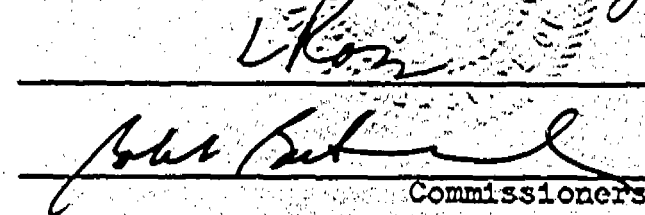
6. Case No. 5437, Petition for Modification No. 280 and Application No. 55762 will be consolidated for public hearing and such hearing in these matters shall be held before such Commissioner and/or Examiner as may hereafter be designated by the Commission, at which time all interested parties may appear and be heard.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 26th day of August, 1975.



President


Vernon J. Sturgeon


Commissioners

INDEX OF COMMODITIES

COMMODITY	ITEM	COMMODITY	ITEM
Aggregates, Lightweight	50, 330, 340	Mill Scale	40, 320, 390
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Asphalt (M)	30, 300, 390		550, 560
Base, Cement Treated	30, 290, 390	Mortar	30, 290, 390
Cake, Salt	60, 390	Mud	40, 320, 390
Cement (M)	30, 300, 390	Ore	60, 390
Cement Clinker	40, 320, 390	Perlite	40, 50, 320, 330, 340, 390
Cinders	50, 330, 340	Plaster	30, 290, 390
Clay	40, 50, 320, 330, 340, 390	Pumice	50, 330, 340
*Coke, petroleum	30	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
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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.

* Addition, Decision No. 84842

EFFECTIVE

Correction

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

SECTION 1--RULES (Continued)	ITEM
<p align="center">APPLICATION OF TARIFF--CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act. They apply for transportation of property and other accessorial or incidental services performed prior to, during, or subsequent to said transportation by radial highway common carriers, highway contract carriers and dump truck carriers, as defined in said Highway Carriers' Act, in bulk in dump truck equipment.</p> <p>The rates and rules contained in this tariff shall apply to transportation by underlying carriers (independent-contractor subhaulers) when such transportation is performed for other carriers, as provided in Item 210.</p>	20
<p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>When reference is made to this item, rates apply to the transportation of the following commodities:</p> <p>LIST A</p> <p>Base, cement treated (Moist mixture of sand, crushed rock and/or gravel and cement);</p> <p>*o(2) Coke, petroleum;</p> <p>Concrete, mortar or plaster: ingredients of, in batches, in nylon-corded rubberized bags;</p> <p>Containers, empty, used, viz.: empty, used nylon-corded rubberized bags being returned from an outbound trip in which they moved containing batches of the ingredients of concrete, mortar or plaster;</p> <p>(1) Earth, including dirt, loam, silt or soil individually or in any combination. It also includes miscellaneous material such as stone, rock, tree stumps and broken concrete in combination with earth when such material does not exceed 50 percent of the total volume of the shipment.</p> <p>Granite, decomposed;</p> <p>Gravel;</p> <p>Rock (commonly called "cobblestone" or "rip rap");</p> <p>Sand, crushed stone and gravel, mixed dry, with or without cement added;</p> <p>Sand, other than burnt shale;</p> <p>Slag, other than expanded;</p> <p>Stone, crushed, chips or waste;</p> <p>Stone, natural, blocks, pieces or slabs, rough quarried;</p> <p>Stone, natural, sawed, not further finished.</p> <p>(1) See Item 290 for shipments subject to Distance Rates of more than 30 miles. See Item 310 for shipments subject to Distance Rates of 30 miles or less.</p> <p>* (2) Applies only in connection with Distance Rates in Item 290.</p> <p>LIST B</p> <p>Asphaltic concrete (commonly called "Hot Stuff");</p> <p>Cold road oil mixture (commonly called "Plant Mix");</p> <p>Asphalt, cold liquid, in containers not exceeding 5 gallons capacity per container (Subject to Note 1).</p> <p>NOTE 1.—Cold liquid asphalt will be transported under the provisions of this tariff, at rates which apply for the transportation of asphaltic concrete, when tendered for transportation with, and as a part of, a shipment of asphaltic concrete and when the quantity so tendered does not exceed 15 gallons per shipment.</p>	30
<p>o Change) * Addition) Decision No. 84842 o Reduction)</p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction

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	<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES</p> <p>When reference is made to this item, rates apply to the transportation of the following commodities:</p> <table><tr><td>Barium, clay or silicate mud compounds, dry, oilwell drilling; Cement clinker; Clay, other than burnt or calcined; Cullet (glass, broken or crushed); Dolomite, dead-burned; Dolomite rock, crushed; Gypsum rock, crude, not further processed than broken or crushed;</td><td>Mill scale; Mud, dry, oilwell drilling; Perlite rock, crude, not expanded, not further processed than broken, crushed or ground; Pyrite cinders; Pyrophyllite, crude, in blocks, pieces or slabs, rough quarried; Shale, other than burnt, calcined or expanded;</td><td>Soapstone, crude, in blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides; Talc, crude, in blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides.</td></tr></table>	Barium, clay or silicate mud compounds, dry, oilwell drilling; Cement clinker; Clay, other than burnt or calcined; Cullet (glass, broken or crushed); Dolomite, dead-burned; Dolomite rock, crushed; Gypsum rock, crude, not further processed than broken or crushed;	Mill scale; Mud, dry, oilwell drilling; Perlite rock, crude, not expanded, not further processed than broken, crushed or ground; Pyrite cinders; Pyrophyllite, crude, in blocks, pieces or slabs, rough quarried; Shale, other than burnt, calcined or expanded;	Soapstone, crude, in blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides; Talc, crude, in blocks, pieces or slabs, rough quarried or not further finished than sawed or chipped on four sides.
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	<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES</p> <p>When reference is made to this item, rates apply to the transportation of the following commodities:</p> <p>Lightweight Aggregates, viz.:</p> <table><tr><td>Ash, Volcanic; Cinders; Clay, burnt or calcined; Perlite, expanded;</td><td>Pumice; Sand, burnt shale; Scoria, Volcanic;</td><td>Shale, burnt or calcined; Shale, expanded; Slag, expanded.</td></tr></table>	Ash, Volcanic; Cinders; Clay, burnt or calcined; Perlite, expanded;	Pumice; Sand, burnt shale; Scoria, Volcanic;	Shale, burnt or calcined; Shale, expanded; Slag, expanded.
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<p>ΔChange, neither increase nor reduction, Decision No. 84842</p>				
<p style="text-align: center;">EFFECTIVE</p>				
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