

Decision No. 85651

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of J. S. Shafer, Jr.,  
for authority, pursuant to Provisions  
of Section 3666 of the Public Utilities  
Code, to depart from the minimum rates,  
rules and regulations of Minimum Rate  
Tariff No. 17-A.

**ORIGINAL**  
Application No. 56055  
(Filed November 10, 1975;  
amended March 12, 1976)

SECOND INTERIM OPINION

Decision No. 85254 dated December 16, 1975 authorized applicant J. S. Shafer, Jr., to provide transportation service for Corona Rock and All American Asphalt for \$1.83 per ton. One of the conditions to this authority was:

"In the event the minimum rate named in Minimum Rate Tariff 17-A applicable to transportation of rock, sand, or gravel from Production Area 33-R and Delivery Zone 30041 is adjusted by order of this Commission, the rate named above shall be adjusted proportionately."

Decision No. 85518 dated March 2, 1976 adjusted the rates in Minimum Rate Tariff 17-A effective April 1, 1976. The rate from Production Area 33-R to Delivery Zone 30041 increases from \$2.02 to \$2.22 per ton, an increase of 9.9 percent.

Assembly Bill No. 1352<sup>1/</sup> increased the allowable gross vehicle weight from 76,800 pounds to 80,000 pounds. According to the amended application the added payload is increased 6.44 percent.

Applicant here seeks modification of Decision No. 85254 by authorizing an increase of 3.46 percent resulting in a rate of \$1.89 per ton to be made effective on April 1, 1976.

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1/ Sections 35550 and 35551, Vehicle Code, Chapter 651, 1975 statutes.

Calculations of the net revenue due an underlying carrier, produced by the present authorized rate compared to that which could be generated under the proposed rate, indicate an increase of 9.92 percent. The calculations are based on the theoretical payload increase of 24.83 tons per load to 26.43 tons per load.

After consideration it appears that the requested modification is justified. Decision No. 85254 will be modified accordingly.

This application is set for hearing on April 7, 1976 in Los Angeles. At that time applicant will be expected to produce evidence which will reflect the change in productivity based on actual experience.

SECOND INTERIM ORDER

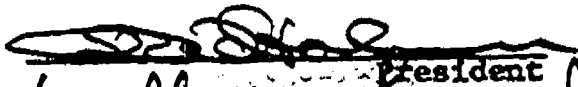
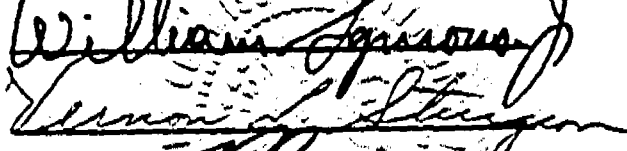
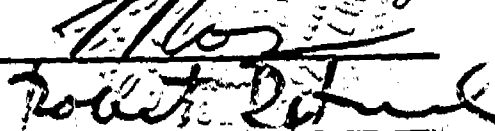
IT IS ORDERED that:

1. Appendix A to Decision No. 85254 is superseded by Appendix A attached hereto.

2. In all other respects Decision No. 85254 shall remain in full force and effect.

The effective date of this order is April 1, 1976.

Dated at San Francisco, California, this 30<sup>th</sup>  
day of MARCH, 1976.

  
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President  
  
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Commissioners

APPENDIX A

Shippers: Corona Rock, Corona, California.  
All American Asphalt, Westminster, California.

Commodities: Rock, sand, and gravel as described in Item 60,  
Minimum Rate Tariff 17-A.

From: Corona Rock, Corona. Production Area 33-R.

To: All American Asphalt, Westminster, Delivery Zone 30041.

Rate: \$1.89 per ton.

- Conditions:
- (a) Charges to underlying carriers for trailer rental shall be 25 percent of the rate authorized herein in connection with transportation services performed by such underlying carriers under the authority described above.
  - (b) In the event the minimum rate named in Minimum Rate Tariff 17-A applicable to transportation of rock, sand, or gravel from Production Area 33-R to Delivery Zone 30041 is adjusted by order of this Commission, the rate named above shall be adjusted proportionately.
  - (c) Other than the authority described above, all other provisions of Minimum Rate Tariff 17-A shall apply.