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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-) tion for the purpose of consid-) ering and determining minimum) rates for transportation of) rock, sand, gravel and related) items in bulk, in dump truck) equipment in Southern California) as provided in Minimum Rate) Tariff 17-A and Southern) California Production Area and) Delivery Zone Directory 1, and) the revisions or reissues there-) of.

Case No. 9819 Petition for Modification No. 14 (Filed April 22, 1976)

OPINION AND ORDER

Minimum Rate Tariff 17-A (MRT 17-A) provides rates for the transportation of rock, sand and gravel by dump truck carriers. The rates are mainly zone rates from defined production areas to designated delivery zones. Area-to-point rates, applicable from defined production areas to specified delivery points, are also named. The area-to-point rates are 3 cents per ton less than the otherwise applicable zone rates.

Petitioner, Bonanza Concrete Co., operates a plant located at 15115 Oxnard Street, Van Nuys, for the production of asphaltic concrete. The movement of rock products to petitioner's plant is currently subject to the zone rates named in MRT 17-A. By this petition, Bonanza Concrete Co. requests that its plant be designated as a delivery point for shipments of rock products subject to the lower MRT 17-A area-to-point rates.

Petitioner states that the transportation circumstances in which shipments of rock products are delivered to its plant meet the following criteria established by the Commission as the basis for application of the area-to-point rates:

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- 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;
- Consignee has received, or expects to receive, at least 1,000 tons of rock products per year;
- Consignee maintains personnel on duty, while transportation is being furnished, for purpose of signing delivery tickets and other operations necessary to the receipt of the 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 for dump truck-andtrailer combination does not exceed, in total, 30 minutes per 24 tons.

These criteria were first established by Decision 57675, dated December 2, 1958, in Case 5437, and have been observed in subsequent designations of delivery points eligible for the areato-point rates. Petitioner contends that, since the transportation of rock products to its 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 its plant should also be made subject to the lower area-to-point rates. Petitioner further contends that, unless the sought rates are authorized, unreasonable rate discrimination will continue to exist for the benefit of asphaltic plants listed in Section 2 of MRT 17-A to the detriment of petitioner's plant.¹

¹The circumstances under which the transportation of rock products to petitioner's plant is performed are set forth in an affidavit attached to and made a part of, the petition.

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The Declaration of Mailing for Petition 14 indicates that copies of the petition were served upon all parties known to have an interest therein. The petition was also listed on the Commission's Daily Calendar of April 26, 1976. No objection to the proposed amendment of MRT 17-A has been received.

Upon consideration of petitioner's representations, the Commission finds that the circumstances in which rock, sand and gravel are delivered to petitioner's plant site 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 of the area-to-point system of rates in MRT 17-A to petitioner's plant site has been shown to be just and reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted as set forth in the ensuing order.

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (Appendix C to Decision 80578, as amended) is hereby further amended by incorporating therein, to become effective October 16, 1976, Fourth Revised Page 3-1 and Fourth Revised Page 3-2 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 80578, 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 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 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.

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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 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 14^{40} day of September, 1976.

Commissioners



MINIMUM RATE TARIFF 17-A

| Section 3Area-to-Point Rates | | ITEM |
|--|--|----------------|
| APPLICATION OF AREA-TO-POINT RATES Area-to-Point Rates are the rates set forth in Item 3020 and apply to Points listed in this section from Production Areas located in Los Angeles (Antelope Valley/Mojave Desert portion thereof), Orange County, Riverside Co Bernardino County (except Antelope Valley/Mojave Desert portion thereof) and County for the commodities described in Item 60 only. Unless otherwise specifically provided within this section, there is n Area-to-Point Rate to a Delivery Point if no zone rate is provided within t | County (except unty, San d Ventura o applicable | 3000 |
| | | |
| AREA-TO-POINT RATES | | |
| The Area-to-Point Rates described in Item 3000 shall be 3 cents per to the otherwise applicable zone rates to the appropriate Delivery Zone. | n less than | 3020 |
| LIST OF DELIVERY POINTS | | |
| Delivery Point | Delivery Zone | |
| Λ & Λ Ready Mixed Concrete 134 West Redondo Beach Blvd., Gardena (P.O.) | 19925 | |
| All American Asphalt 14490 Edwards Street, Westminster | 30041 | |
| American Pipe & Construction Co. 4650 East Mason, South Gate | 19207 . | |
| Arrow Building Material 19650 East Arrow Highway, Covina (P.O.) | 19334 | |
| Artesia Ready-Mix Concrete 13134 East South Street, Cerritos | 19453 | |
| Asphalt Service (A & L Asphalt Company, dba) Lawrence Canyon 5 mile East of Hill Street, Oceanside | 38 | |
| Azusa-Western, Inc. 942 Azusa Avenue, City of Industry | 30081 30070 19419 19238 30024 19355 30117 30063 19438 30041 | |
| Berlin Brothers Ready Mix Concrete 2457 North Ventura Avenue, Ventura | 56048 | |
| Blacktop Materials Co. 9120 Norris Avenue, Sun Valley | 19040 | |
| No Change on this page, Decision No. 86387 | | |
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MINIMUM RATE TARIFF 17-A

| Delivery Point Delivery Some Donanze Concrete Co. 19072 Darlow Direct, Van Nuys- 19072 Darlow Direct, Van Nuys- 19072 Delivery Store 26113 Darlow Direct, Darlow Direct, Stonton 30034 Darlow Direct, Darlow Direct, Stonton 30034 Darlow Directer, Darlow Stanton 30034 Darlow Directer, Darlow | SECTION 3AREA-TO-POINT RATES (CONTINUED) | | |
|--|---|----------------|------|
| Damage Concrete Co. 15115 Onnard Street, Van Nuys | · LIST OF DELIVERY POINTS (Continued) | | |
| 15115 Conard Street, Van Nuys | Delivery Point | Delivery | Zone |
| Derison Building Materials CO. S6113 Main Foursets, E.C. 10732 South Avenue, Stanton | Bonanza Concrete Co. | 200.000 | |
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| 10732 South Rose Street, Stanton | Carlson Building Materials Co. 1432 Thousand Oaks Boulevard, Thousand Oaks | 56113 | |
| 10732 South Rose Street, Stanton | Thamber-Mix Concrete, Inc. | , , | |
| Dandler's Palos Verdes Sand 4 Gravel Co. 19225 365 Malnut Street, Gardena (P.O.) 19225 2511 South Creanshew Boulevard, Torrance 19224 25701 South Creanshew Boulevard, Torrance 19225 252 East Marylind Avenue, Clarsmont 19329 200 San Farnando Kod, Los Angeles 19329 201 For Dyr Co. 19329 2020 San Farnando Kod, Los Angeles 19329 2030 San Farnando Kod, Los Angeles 19329 2040 San Farnando Kod, Los Angeles 19329 2010 San Farnando Kod, Los Angeles 19329 2010 San Farnando Kod, Los Angeles 19329 2010 San Farnando Kod, Los Angeles 19330 2010 San Farnando Kodu Kodu Kodu Kodu Kodu Kodu Kodu Ko | 10732 South Rose Street, Stanton | 30034 | |
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| 26311 Nathonne Avenue, Rolling Kills Estates | Chandler's Palos Verdes Sand 4 Gravel Co. | | |
| 25701 South Cremston Avenue, Santa Fe Springs | 385 Walnut Street, Gardena (P.O.) | 19225 | |
| 21 Zast Marylind Avenue, Claremont | 26311 Narbonne Avenue, Rolling Hills Estates | 19248 | |
| 925 East Marylind Avenue, Claremont | TTIAT SAAAU PLANBUGM DAALAY JALIGUGG | 474 4 7 | |
| Controck Co. 33047 Porphry & Quarry Streets, Corona | Claremont Transit Mixed Concrete Co. | 10220 | |
| Norphy & Ouarry Streets, Corona | 925 East Maryling Avenue, Claremonte | 19329 | |
| 2200 San Fernando Road, Los Angeles | Conrock Co. | | |
| Lawrence Canyon, 4 mile east of Hill Street, Oceanside 33005 32302 Pasco Adelanto, 5an Juan Capistrano 3005 23183 Cottonwood Avenue, Sunny Mead 30063 25183 Cottonwood Avenue, Sunny Mead 3003 7001 Deering Avenue, Canoga Park 30003 7010 Deering Avenue, Canoga Park 3001 7010 Deering Avenue, Canoga Park 3003 7010 Deering Avenue, Canoga Park 3003 7010 Deering Avenue, Canoga Park 3001 7010 Deering Avenue, Canoga Park 3003 7010 Deering Avenue, Canoga Park 3003 7010 Deering Avenue, Canoga Park 3001 7011 Deering Avenue, Canoga Park 3003 7012 East Dos Angeles Avenue, Yoonpark 3003 7013 South Prospect Avenue, Pasdena 3003 7014 East Stage Road, Santa Pe Springz 3003 702 Katella Avenue, Sattor 3003 7031 Tuxford Street, Santon 3003 7030 Cast Picker, Vernon 3003 7030 South Avaneda Street, Vernon 3003 7030 Street, Wilmington 3003 7041 Katella Avenue, Santa Pe Springs 3043 1020 Blinn Street, Wilmington 3043 | Porphry & Quarry Streets, Corona | 33047 | |
| Spruce Street, Riverside | 3200 San Fernando Koad, Los Angelesse | 38 | |
| 2302 Pasco Adelanto, San Juan Capistrano | Somuce Street, Riverside | 33005 | |
| 4115 West MacArthur, Santa Anaressessessessessessessessessessessessess | 32302 Pasco Melanto, San Juan Canistranogenergenergenergenergenergenergenergen |) 30101 | |
| Consolidated Rock Products Co. 136 North Brea Boulevard, Brea- 7001 Deering Avenue, Canoga Park 130 South Aviation Road at Southern Pacific Company right-of-way, Ellwood- 2032 Bast Pacific Coast Highway, Long Beach | 4115 West MacArthur. Santa Ana | 1 30063 | |
| 136 North Brea Boulevard, Brea | 25183 Cottonwood Avenue, Sunny Mead | 33038 | |
| 7001 Descring Avenue, Canoga Park- 19051 1133 South Aviation Rood et Southern Pacific Company right=of-way, Ellwood- 19213 12009 East Pacific Coast Highway, Long Beach- 19213 12009 East Coa Angeles Avenue, Norpark- 19664 1511 South Prospect Avenue, Orange (P.O.)- 19213 13464 19213 1352 South Raymond Avenue, Pasadena- 19315 1353 South Aviation Extrect, Santa Barbara- 19315 1369 East Stage Road, Santa Fe Springt- 19440 6029 Vineyard Avenue, Saticoy- 19040 752 Katella Avenue, Statton- 19040 753 South Alameda Street, Sun Valley- 19040 19040 19177 11122 West Pico Boulevard, West Los Angeles 19177 11122 West Pico Boulevard, West Los Angeles 19438 1020 Blinn Street, Wilmington- 19245 Copp Paving Co., Inc. 19433 11927 South Greenstone Avenue, Santa Fe Springs- 19438 Dewey & Robs Ready-Mixed Concrete 19465 1650 East Spring Street, Signal Hill- 19465 * Addition, Decision No. 86387 | Consolidated Rock Products Co. | | |
| Lilwood Station Road et Southern Pacific Company right-of-way, Ellwood- 339 South Aviation Boulevard, El Segundo- 2009 East Pacific Coast Highway, Long Beach- 2009 East Pacific Coast Highway, Long Beach- 2007 East Los Angeles Avenue, Noorpark- 2008 South Alaynond Avenue, Pasadena- 2008 South Raynond Avenue, Pasadena- 2008 South Salsipuedes Street, Santa Barbara- 2008 Vineyard Avenue, Saticoy- 2008 Vineyard Avenue, Staticoy- 2009 Couth Salsipuedes Street, Santa Barbara- 2003 Vineyard Avenue, Staticoy- 2003 Vineyard Avenue, Staticoy- 2003 South Alaweda Street, Venton- 2003 South Alaweda Street, Venton- 2003 South Alaweda Street, Venton- 2003 South Alaweda Street, Venton- 2004 Lion Street, Wilmington- 2004 Dilan Street, Wilmington- 2005 East Spring Street, Signal Hill- 2006 Station, Decision No. 2008 Seady-Mixed Concrete 2008 Seady-Mixed Concrete 2009 Seat Spring Street, Signal Hill- 2008 Seady-Mixed Concrete 2008 Seady-Mixed Seady-M | 136 North Brea Boulevard, Breassessessessessessessessessessessessess | 30003 | |
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| 11401 Tuxford Street, Sun Valley | | 1 56059 | |
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