

86475

ORIGINAL

Decision No. _____

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. 19
(Filed August 16, 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.

By this petition, California Dump Truck Owners Association requests that the plant of United Premix, Inc. (United Premix), an operator of a new batch plant located at 16282 Construction Circle East, Irvine, 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 circumstances¹ in which shipments of rock products are delivered to the batch plant meet the following criteria established by Commission

¹ The circumstances under which the transportation of rock products to United Premix's plant is performed are set forth in the petition.

Decision 57675, dated December 2, 1958, in Case 5437 as the basis of the application of the area-to-point rates:

1. 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;
2. Consignee has received, or expects to receive, at least 1,000 tons of rock products per year;
3. 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-and-trailer combination does not exceed, in total, 30 minutes per 24 tons.

Petitioner contends that, since the transportation of rock products to its batch 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 batch plant should also be made subject to the lower area-to-point rates. Petitioner further contends that the sought rate reduction is necessary in order that the for-hire dump truck industry may effectively meet the potential competition from the proprietary truckers.

The certificate of service 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 August 17, 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 United Premix's plant site 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 United Premix'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 80573, as amended) is hereby further amended by incorporating therein, to become effective November 6, 1976, Sixth Revised Page 3-5 and Sixth Revised Page 3-6 attached hereto and by this reference made a part hereof.
2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision 80573, 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.
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


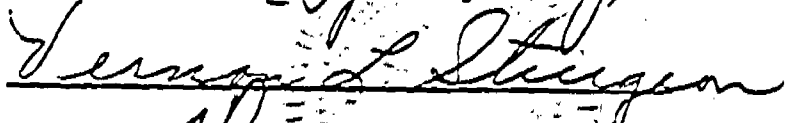
to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the amendments published under this authority shall make 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 5th day of October, 1976.



President



Vernon L. Sturgeon


Robert Bateman
Commissioners

SECTION 3--AREA-TO-POINT RATES (CONTINUED)

LIST OF DELIVERY POINTS (Continued)

Delivery Point	Delivery Zone
Owl Service Rock Company Aqua Mansa Road and Riverside Avenue, near Bloomington-----	36075
Pacific Rock & Gravel Co. 24700 Wilmington Avenue, Carson-----	19245
Pacific Western Industries, Inc. 9614 South Santa Fe Springs Road, Santa Fe Springs-----	19429
Pearman & Sons 14105 South Normandie Avenue, Gardena-----	19219
Pomona Block Co., Inc. 4791 Arrow Highway, Montclair-----	36048
Puente Ready Mix, Inc. 209 North California Avenue, City of Industry-----	19385
Richardson Mill & Lumber Co. 9613 East Whittier Boulevard, Pico-Rivera-----	19422
San Dimas Ready Mix Concrete Co. 536 Arrow Highway, San Dimas-----	19332
Santa Ana Ready Mix 312 North Townsend Street, Santa Ana-----	30045
Skyline Concrete Sales Co. 6969 Deering Avenue, Canoga Park-----	19051
8001 Fair Avenue, Sun Valley-----	19057
9010 Norris Avenue, Sun Valley-----	19040
Southern Pacific Milling Co. 50 South Kellogg Avenue, Goleta-----	42030
Spragues' Rock & Sand Co. 235 East Live Oak Avenue, Irwindale-----	19337
Standard Ready Mix 2130 South Grand, Santa Ana-----	30052
7591 Hazard, Westminster-----	30042
Sully-Miller Contracting Company	
Blue Diamond Materials-Division	
17706 South Main Street, Carson-----	19224
1150 South Rancho Ave., Colton-----	36059
9505 Jefferson Blvd., Culver City-----	19189
7221 Ellis Ave., Huntington Beach-----	30061
441 Railroad Place, Inglewood-----	19202
2818 Barranca Road, Irvine-----	30073
1245 East Arrow Highway, Irwindale-----	19337
32nd Street at Walnut Ave., Long Beach-----	19465
1650 South Alameda St., Los Angeles-----	19176
10420 Belle Grave, Mira Loma-----	33012
980 North Hewes Ave., Orange-----	30028
4127 W. MacArthur Blvd., Santa Ana-----	30063
12976 E. Firestone Blvd., Santa Fe Springs-----	19441
5625 Southern Ave., South Gate-----	19444
20900 S. Normandie Ave., Torrance (P.O.)-----	19232
15th Street at Benson Ave., Upland-----	36017
20903 Currier Road, Walnut-----	19405

No change on this page, Decision No.

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EFFECTIVE

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

Correction

SECTION 3--AREA-TO-POINT RATES (CONCLUDED)

LIST OF DELIVERY POINTS (Concluded)

Delivery Point	Delivery Zone
Transit Mixed Concrete Co. 435 North Eucalyptus Avenue, Inglewood-----	19202
2400 East South Street, Long Beach (P.O.)-----	19456
625 Lamar Street, Los Angeles-----	19374
1000 North La Brea Avenue, Los Angeles-----	19141
144 North Halstead Street, Pasadena-----	19311
8960 Bradley Avenue, Sun Valley-----	19040
Tri-City Concrete 238 East 2nd Street, Perris-----	33077
8203 Alabama Street, Redlands-----	36031
7747 Evans Street, Riverside-----	33045
1910 West 7th Street, San Bernardino-----	36026
2006 North Campus, Upland-----	36018
*United Promix, Inc. 16282 Construction Circle East, Irvine-----	30073
United Ready Mixed Concrete Co. 11725 Artesia Boulevard, Artesia-----	19450
4988 Firestone Boulevard, South Gate-----	19207
Upland Concrete Products Co. 1337 Bowen, Upland-----	36046
Valley Ready-Mix 505 South Benson Avenue, Ontario-----	36050
Valley Wide Ready Mixed Concrete Corp. 13950 East Los Angeles Avenue, Moorpark-----	56076
Vernon Asphalt Materials Co. 345 Walnut Avenue, Gardena-----	19225
501 Railroad Place, Inglewood-----	19202
3100 Bandini Boulevard, Vernon-----	19418
Wagnild Ready Mixed Concrete Co. 15203 Oxnard Street, Van Nuys-----	19072
Western Rock Co. 4952 Arrow Highway, Montclair-----	36048
Williway, Inc., J. 8555 East Whittier Boulevard, Pico-Rivera-----	19422

* Addition, Decision No.

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 SAN FRANCISCO, CALIFORNIA.

Correction