

84 03 040

MAR 7 1984

ORIGINAL

Decision

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation for the purpose of considering 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 thereof.

Case 9819
Petition for Modification 66
(Filed November 28, 1983;
Amended December 27, 1983)

O P I N I O N

By this petition, as amended, Paul Hurns, doing business as Paul Hurns Construction Co. (Hurns), requests modification of Southern California Production Area and Delivery Zone Directory (Directory) 1 and Minimum Rate Tariff (MRT) 17-A by adding:

1. A new Los Angeles County production area description in the directory.
2. Zone rates in the tariff for the transportation of rock, sand, and gravel from the new production area to all Los Angeles and Ventura County delivery zones.

MRT 17-A names minimum rates for the transportation by dump truck carriers of certain commodities, including rock, sand, and gravel. The tariff contains zone rates which apply from defined production areas to designated delivery zones via a network of routes over most of the legally traversable highways in Southern California areas where the rates apply. The descriptions of the production areas and delivery zones are set forth in Directory 1.

The petition states as follows:

1. Hurns operates a rock, sand, and gravel plant in The Hansen Flood Control Basin in the City of Los Angeles. It is not in a defined production area.

2. Hurns ships these commodities from this plant by for-hire dump truck carriers to consignees located within Los Angeles and Ventura County delivery zones. All loading is by front-end loader.
3. Since there are no zone rates, transportation charges are paid on the basis of hourly or distance rates which are more costly to the shipper.
4. The proposed production area and zone rates would cause no rate discrimination because other producers of the same commodities in the same market area are in established production areas and ship at zone rates.

By its memorandum dated January 5, 1984, which has been received in evidence as Exhibit 1 and served on parties of record, the Commission staff recommends that the petition, as amended, be granted. According to the exhibit, the staff has assigned new Home Node 30195 to the proposed production area which it has designated Los Angeles County Production Area 19-BB. The tie-in segments between there and entry Network Node 30194 developed by the staff for computing the zone rates are 0.9 of a mile one way and 10 round-trip minutes. A suggested description of the new production area for publication in Directory 1 is included in Exhibit 1.

The petition and amendment were listed on the Commission's Daily Transportation Calendars of December 1 and 30, 1983. Copies were served on various interested parties. No protest to the petition has been received.

Because petitioner is being economically disadvantaged by the absence of zone rates from the proposed production area, the following order should be made effective on the date it is signed, and tariff pages should be made effective five days later.

Findings of Fact

1. MRT 17-A names minimum rates for the transportation by dump truck carriers of certain commodities via a network of routes over most legally traversable highways in Southern California.

2. Hurns maintains a production facility, as described in the petition, where rock, sand, and gravel are produced.

3. Present MRT 17-A rates do not apply to transportation of rock, sand, and gravel from petitioner's facility.

4. The staff has developed information concerning traverse distance and time from Hurn's facility to the existing entry node.

5. The rates based on the data developed by the staff and adopted in the following order will result in just, reasonable, and nondiscriminatory minimum rates for the transportation involved.

6. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

7. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

8. A public hearing is not necessary.

Conclusions of Law

1. The petition, as amended, should be granted to the extent provided in the following order.

2. The effective date of this order should be today because there is an immediate need for this rate relief.

O R D E R

IT IS ORDERED that:

1. MRT 17-A (Appendix C of Decision (D.) 80578, as amended) is further amended by incorporating Original Page 4-BB and Original Page 4-BB-1, attached, to become effective five days after today.

2. Southern California Production Area and Delivery Zone Directory 1 (Appendix A of D.65469, as amended) is further amended by incorporating First Revised Page 15 and First Revised Page 16, attached, to become effective five days after today.

3. Common carriers subject to the Public Utilities Act, to the extent that they are also subject to D.80578 and D.65469, as amended, are authorized to establish in their tariffs the rates and routes necessary to conform with the further revisions ordered by this decision.

4. Tariff publications required to be made by common carriers as a result of this order shall be filed on not less than five days' notice to the Commission and to the public if filed not later than 60 days after the effective date of the minimum rate tariff pages incorporated in this order.

5. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Public Utilities Code § 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

6. In all other respects D.80578 and D.65469, as amended, shall remain in full force and effect.

7. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to MRT 17-A.

8. The Executive Director shall serve a copy of the tariff amendments on each subscriber to MRT 17-A.

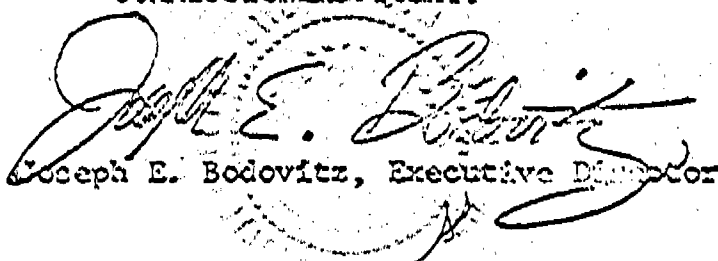
This order is effective today.

Dated MAR 7 1984, at San Francisco, California.

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

Commissioner Leonard M. Grimes, Jr.,
being necessarily absent, did not
participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director

SECTION 4 - ZONE RATES IN CENTS PER TON (CONTINUED)						
COMMODITIES AS DESCRIBED IN ITEM 60						
FROM LOS ANGELES COUNTY PRODUCTION AREA 19-PB TO THE DELIVERY ZONES SET FORTH BELOW						
ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
19001 99	19051 174	19101 185	19151 227	19201 279	19251 408	19314 175
19002 99	19052 168	19102 197	19152 233	19202 260	19252 384	19315 194
19003 110	19053 145	19103 170	19153 246	19203 291	19253 421	19316 211
19004 105	19054 129	19104 175	19154 220	19204 307	19254 431	19317 218
19005 102	19055 127	19105 175	19155 201	19205 301	19255 414	19318 223
19006 95	19056 123	19106 176	19156 224	19206 312	19256 392	19319 227
19007 84	19057 131	19107 160	19157 235	19207 303	19257 406	19320 243
19008 134	19058 120	19108 174	19158 266	19208 310	19258 390	19321 255
19009 116	19059 128	19109 165	19159 291	19209 322	19259 380	19322 263
19010 114	19060 131	19110 175	19160 316	19210 312	19260 375	19323 274
19011 141	19061 142	19111 164	19161 333	19211 318	19261 381	19324 295
19012 167	19062 149	19112 179	19162 356	19212 301	19262 388	19325 308
19013 148	19063 153	19113 174	19163 383	19213 277	19263 387	19326 318
19014 132	19064 203	19114 162	19164 403	19214 290	19264 401	19327 322
19015 120	19065 170	19115 227	19165 421	19215 301	19265 401	19328 378
19016 105	19066 157	19116 170	19166 243	19216 312	19266 390	19329 363
19017 100	19067 149	19117 184	19167 213	19217 289	19267 389	19330 339
19018 74	19068 145	19118 198	19168 228	19218 311	19268 391	19331 335
19019 76	19069 141	19119 193	19169 246	19219 318	19269 427	19332 325
19020 73	19070 137	19120 182	19170 242	19220 338	19270 441	19333 319
19021 82	19071 134	19121 182	19171 244	19221 324	19271 447	19334 312
19022 90	19072 153	19122 190	19172 240	19222 320	19272 420	19335 298
19023 101	19073 140	19123 192	19173 239	19223 334	19273 437	19336 282
19024 119	19074 159	19124 125	19174 235	19224 344	19274 406	19337 249
19025 109	19075 174	19125 196	19175 242	19225 328	19275 400	19338 255
19026 114	19076 195	19126 183	19176 256	19226 312	19276 416	19339 284
19027 133	19077 212	19127 168	19177 254	19227 310	19277 424	19340 254
19028 147	19078 227	19128 201	19178 255	19228 321	19278 429	19341 213
19029 153	19079 286	19129 194	19179 255	19229 342	19279 427	19342 245
19030 155	19080 244	19130 211	19180 260	19230 322	19280 440	19343 237
19031 161	19081 239	19131 220	19181 248	19231 338	19281 427	19344 255
19032 153	19082 227	19132 189	19182 252	19232 338	19282 417	19345 276
19033 149	19083 226	19133 184	19183 226	19233 352	19283 415	19346 272
19034 144	19084 208	19134 195	19184 228	19234 348	19284 405	19347 246
19035 142	19085 196	19135 176	19185 236	19235 334	19285 399	19348 257
19036 131	19086 188	19136 194	19186 254	19236 362	19286 412	19349 272
19037 125	19087 182	19137 200	19187 274	19237 355	19287 40	19350 302
19038 122	19088 173	19138 224	19188 257	19238 341	19351 183	19351 309
19039 113	19089 162	19139 178	19189 240	19239 344	19352 149	19352 351
19040 112	19090 159	19140 244	19190 276	19240 360	19353 203	19353 309
19041 110	19091 158	19141 206	19191 275	19241 341	19354 163	19354 371
19042 108	19092 143	19142 199	19192 287	19242 349	19355 148	19355 378
19043 120	19093 157	19143 210	19193 276	19243 354	19356 184	19356 345
19044 174	19094 164	19144 205	19194 261	19244 355	19357 197	19357 371
19045 151	19095 160	19145 209	19195 288	19245 371	19358 220	19358 384
19046 164	19096 174	19146 206	19196 298	19246 376	19359 238	19359 353
19047 178	19097 194	19147 213	19197 280	19247 374	19360 229	19360 346
19048 206	19098 180	19148 214	19198 252	19248 369	19361 209	19361 351
19049 214	19099 159	19149 217	19199 255	19249 358	19362 202	19362 329
19050 199	19100 179	19150 213	19200 277	19250 418	19363 190	19363 328

CHANGE, DECISION

54 03 040

EFFECTIVE 3/12/84

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

CORRECTION

SECTION 4 - ZONE RATES IN CENTS PER TON (CONTINUED)

COMMODITIES AS DESCRIBED IN ITEM 60

FROM LOS ANGELES COUNTY PRODUCTION AREA 19-88
TO THE DELIVERY ZONES SET FORTH BELOW

ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
19364 311	19426 373	19607 206	19754 319	56057 498	56110 370
19365 303	19427 365	19608 227	19755 353	56058 432	56111 328
19366 287	19428 350	19609 210	19756 392	56059 388	56112 308
19367 285	19429 351	19610 231	19757 412	56060 392	56113 298
19368 282	19430 329	19700 121	19758 437	56061 352	56114 314
19369 284	19431 318	19701 130	19759 113	56062 333	56115 338
19370 270	19432 297	19702 153	19760 139	56063 347	56116 362
19371 255	19433 285	19703 180	19761 176	56064 388	56117 366
19372 238	19434 291	19704 204	19762 219	56065 334	56118 350
19373 233	19435 291	19705 227	56001 626	56066 314	56119 396
19374 223	19436 302	19706 182	56002 624	56067 321	56120 436
19375 233	19437 314	19707 191	56003 595	56068 322	56121 446
19376 246	19438 337	19708 189	56004 572	56069 293	56122 444
19377 243	19439 341	19709 198	56005 556	56070 280	56123 431
19378 245	19440 348	19710 166	56006 540	56071 190	56124 421
19379 283	19441 327	19711 177	56007 540	56072 199	56125 442
19380 292	19442 326	19712 159	56008 546	56073 218	56126 450
19381 291	19443 318	19713 141	56009 511	56074 241	56127 435
19382 296	19444 301	19714 130	56010 483	56075 243	
19383 302	19445 317	19715 134	56011 454	56076 248	
19384 294	19446 319	19716 163	56012 421	56077 265	
19385 318	19447 333	19717 158	56013 371	56081 308	
19387 349	19448 332	19724 173	56014 357	56082 368	
19388 342	19449 346	19727 201	56015 349	56083 384	
19389 351	19450 340	19728 223	56016 356	56084 398	
19401 343	19451 354	19729 246	56017 307	56085 452	
19402 337	19452 350	19730 270	56018 290	56086 455	
19403 344	19453 362	19731 298	56019 239	56087 437	
19404 347	19454 350	19732 324	56020 244	56088 415	
19405 344	19455 365	19733 355	56021 289	56089 390	
19406 353	19456 347	19734 391	56022 313	56090 354	
19407 358	19457 361	19735 426	56023 353	56091 377	
19408 340	19458 360	19736 458	56024 368	56092 318	
19409 330	19459 374	19737 503	56025 383	56093 306	
19410 318	19460 379	19738 549	56041 399	56094 292	
19411 308	19461 355	19739 589	56042 414	56095 326	
19412 300	19462 374	19740 621	56043 424	56096 274	
19413 308	19463 390	19741 655	56044 413	56097 301	
19414 293	19464 387	19742 698	56045 415	56098 328	
19415 270	19465 380	19743 737	56046 450	56099 362	
19416 254	19466 397	19744 770	56047 443	56100 364	
19417 241	19467 407	19745 803	56048 480	56101 348	
19418 245	19468 407	19746 848	56049 492	56102 349	
19419 262	19469 388	19747 334	56050 512	56103 404	
19420 272	19400 170	19748 373	56051 548	56104 431	
19421 280	19401 169	19749 414	56052 534	56105 444	
19422 317	19402 137	19750 435	56053 510	56106 454	
19423 342	19403 125	19751 243	56054 494	56107 464	
19424 350	19405 180	19752 257	56055 470	56108 430	
19425 359	19406 180	19753 287	56056 473	56109 408	

CHANGE, DEVISION

84 03 040

EFFECTIVE

3/12/84

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

CORRECTION

SECTION 2

Descriptions of Production Areas
and Delivery Zones Located in
Los Angeles County (Except in Antelope
Valley/Mojave Desert Portion Thereof)

No change on this page. Decision No.

84 03 040

EFFECTIVE 3/12/84

Correction

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

SECTION 2--LOS ANGELES COUNTY PRODUCTION AREAS AND DELIVERY ZONES	
LOS ANGELES COUNTY PRODUCTION AREAS	Area
<p>Beginning at the intersection of Dronfield Avenue and Sheldon Street; southwesterly along Sheldon Street to San Fernando Road; northwesterly along San Fernando Road to Branford Street; southwesterly along Branford Street to Laurel Canyon Boulevard; southeasterly along Laurel Canyon Boulevard to the Flood Control Channel parallel to Tonopah Street; southwesterly along the Flood Control Channel to Canterbury Avenue; southeasterly along Canterbury Avenue to Roscoe Boulevard; easterly along Roscoe Boulevard to Coldwater Canyon Avenue; southerly along Coldwater Canyon Avenue to Bellaire Avenue; southeasterly along Bellaire Avenue to the Southern Pacific Company right-of-way; easterly along the Southern Pacific Company right-of-way to Laurel Canyon Boulevard; northerly along Laurel Canyon Boulevard to Saticoy Street; westerly along Saticoy Street to Whitsett Avenue; northerly along Whitsett Avenue to Roscoe Boulevard; northwesterly along Arleta Avenue to Wicks Street; northeasterly along Wicks Street to San Fernando Road; southeasterly along San Fernando Road to Tuxford Street; southwesterly along Tuxford Street to Lankershim Boulevard; southerly along Lankershim Boulevard to Strathern Street; easterly along Strathern Street to Fair Avenue; northerly along Fair Avenue to San Fernando Road; northwesterly along San Fernando Road to Penrose Street; northeasterly along Penrose Street to Bradley Avenue; northwesterly along Bradley Avenue to Tuxford Street; northeasterly along Tuxford Street to Sunland Boulevard; northerly along Sunland Boulevard to Stonehurst Avenue; northwesterly along Stonehurst Avenue to Peoria Street; westerly in a direct line to the intersection of Art Street and Dronfield Avenue; northwesterly along Dronfield Avenue to the point of beginning.</p>	19-A
<p>Beginning at the intersection of Foothill Boulevard and Wheatland Avenue; southerly along Wheatland Avenue to Wentworth Street; easterly along Wentworth Street to Wentworth Place; northerly along Wentworth Place to Foothill Boulevard; westerly along Foothill Boulevard to the point of beginning.</p>	19-B
<p>Beginning at a point along the prolongation of Eldridge Avenue, 2760 feet southeast of the intersection of Osborne Place and Eldridge Avenue in the City of Los Angeles, a parcel of land within the Mansen Flood Control Basin bounded by a line to a point 740 feet east; thence to a point 1600 feet south; thence to a point 1600 feet west; thence to a point 1200 feet north; thence to a point 400 feet east; thence to a point 400 feet north; thence 460 feet east to the point of beginning.</p>	19-BB
<p>*Addition, Decision No. 84 03 040</p>	
<p>EFFECTIVE 3/12/84</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	
<p>Correction</p>	