

Decision S4 OS 102

AUG 1 1984

ORIGINAL

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 69
(Filed June 12, 1984)

O P I N I O N

Minimum Rate Tariff (MRT) 17-A names rates, rules, and regulations applicable to commodities transported in dump truck equipment within Southern California.

Section 3 of MRT 17-A authorizes the assessment of area-to-point rates, which are 3 cents per ton less than the otherwise applicable zone rates, from production areas located in Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties to specific delivery points where particularly favorable conditions exist for receiving and unloading shipments of rock products.

Pre-Mixed Concrete Company (petitioner) requests modification of MRT 17-A by including San Diego County in the list of counties shown in Section 3, and the listing of its San Diego County batch plants shown in the petition as delivery points eligible for the rate reduction.

Petitioner avers that zone rates applicable within San Diego County are based on a traverse network and cost formulae precisely the same as those applicable within the five counties presently named in Section 3; that the exclusion of San Diego County production areas from Section 3 results in discrimination against San Diego County receivers who presently make use of zone rates.

In support of its request, petitioner states that it operates five batch plants in San Diego County; that each plant has sufficient storage capacity to allow quick and efficient dump truck deliveries; that each plant received in excess of 1,000 tons of rock products per year; that each plant maintains bunkers or areas for stockpiling a minimum of 200 tons of rock; that an employee is on duty at each location between 6:00 a.m. and 4:00 p.m. to receive rock products; and that average loading and unloading times for loads moving between San Diego County production areas and the five batch plants operated by petitioner is 15 minutes per 24 tons.

Notice of filing of the petition appeared in the Commission's Daily Transportation Calendar of June 18, 1984. No protest has been received. However, the staff in its Advice of Participation urged that the matter be set for hearing because when the 3-cent reduction was first published in 1970 at the request of San Diego County Rock Producers Association, San Diego County was intentionally omitted from the list of origin counties due to circumstances unique to that area. San Diego County Rock Producers Association has been served with a copy of the petition and has not objected to the request. Especially favorable transportation characteristics exist in connection with the sought reductions. A public hearing is not necessary. ✓

Findings of Fact

1. MRT 17-A contains rates for commodities transported in dump trucks within Southern California.
2. Section 3 of MRT 17-A authorizes the assessment of rates which are 3 cents per ton less than otherwise applicable zone rates from production areas in certain counties to specific delivery points.
3. San Diego County is not included in the list of counties from, nor are petitioner's batch plants named as delivery points to,

which the rate reduction opportunity contained in Section 3 is presently applicable.

4. MRT 17-A zone rates applicable within San Diego County are based upon the same traverse network and cost formulae applicable to transportation performed within other Southern California counties.

5. Particularly favorable transportation characteristics exist in connection with the receipt and unloading of shipments of rock products at petitioner's San Diego County batch plants.

6. The rates adopted in the following order will result in just, reasonable, and nondiscriminatory minimum rates for the transportation involved.

7. The following order has no reasonably foreseeable impact on the energy efficiency of dump truck carriers.

8. A public hearing is not necessary.

Conclusion of Law

The petition should be granted.

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 the revised tariff pages attached and listed in Appendix A, to become effective August 20, 1984.

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

3. Tariff publications required to be made by common carriers as a result of this order shall be filed on not less than 5 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.

4. 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.

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

6. 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.

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

8. The petition is granted as set forth above.

This order is effective today.

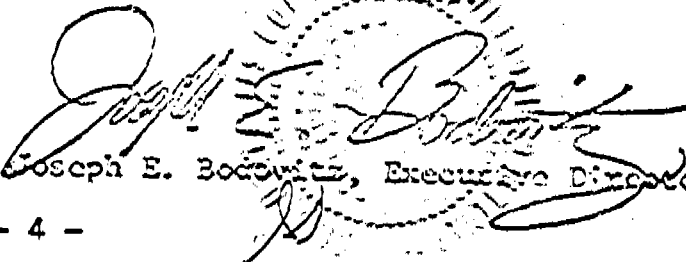
Dated AUG 1 1984, at San Francisco, California.

Commissioner Priscilla C. Grew,
being necessarily absent, did
not participate

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
DONALD VIAL
Commissioners

Commissioner William T. Bagley
being necessarily absent, did
not participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS


Joseph E. Bodowitz, Executive Director

APPENDIX A
LIST OF REVISED PAGES
TO MINIMUM RATE TARIFF 17-A

FIRST REVISED PAGE 3
SIXTH REVISED PAGE 3-1
SIXTH REVISED PAGE 3-2
TENTH REVISED PAGE 3-5
ELEVENTH REVISED PAGE 3-6

(END OF APPENDIX A)

SECTION 3

AREA-TO-POINT RATES

FOR THE
TRANSPORTATION OF ROCK, SAND AND GRAVEL
(also Rock, Sand and Gravel with Cement, in Batches)

From

Production Areas Located Within

LOS ANGELES COUNTY

(except Antelope Valley/Mojave Desert portion thereof)

ORANGE COUNTY

RIVERSIDE COUNTY

SAN BERNARDINO COUNTY

(except Antelope Valley/Mojave Desert portion thereof)

*SAN DIEGO COUNTY

and

VENTURA COUNTY

To

Delivery Points Specified Herein

* Addition, Decision

EFFECTIVE 8/20/84

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

Correction

| SECTION 3--AREA-TO-POINT RATES | | ITEM |
|--|---------------|------|
| <p align="center">APPLICATION OF AREA-TO-POINT RATES</p> <p>Area-to-Point Rates are the rates set forth in Item 3020 and apply to the Delivery Points listed in this section from Production Areas located in Los Angeles County (except Antelope Valley/Mojave Desert portion thereof), Orange County, Riverside County, San Bernardino County (except Antelope Valley/Mojave Desert portion thereof), San Diego County and Ventura County for the commodities described in Item 60 only.</p> <p>Unless otherwise specifically provided within this section, there is no applicable Area-to-Point Rate to a Delivery Point if no zone rate is provided within this tariff.</p> | | 3000 |
| <p align="center">AREA-TO-POINT RATES</p> <p>The Area-to-Point Rates described in Item 3000 shall be 3 cents per ton less than the otherwise applicable zone rates to the appropriate Delivery Zone.</p> | | 3020 |
| LIST OF DELIVERY ZONES | | |
| Delivery Point | Delivery Zone | |
| A & A 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 Mile East of Hill Street, Oceanside----- | 38 | |
| Azusa-Western, Inc. 942 Azusa Avenue, City of Industry----- | 19408 | |
| 2901 San Joaquin Road, Costa Mesa----- | 30081 | |
| 9961 Valencia, El Toro----- | 30070 | |
| 4221 East Bandini Boulevard, Los Angeles----- | 19419 | |
| 22432 South Vermont Avenue, Los Angeles (Torrance P.O.)----- | 19238 | |
| 1501 W. Taft Avenue, Orange----- | 30024 | |
| 1310 East Grand Avenue, Pomona----- | 19355 | |
| 114 Rincon Court, San Clemente----- | 30117 | |
| 4401 West MacArthur Boulevard, Santa Ana----- | 30063 | |
| 12222 East Florence Boulevard, Santa Fe Springs----- | 19438 | |
| 14528 Edwards Street, Westminster----- | 30041 | |
| 13522 Hoover Street, Westminster----- | 30042 | |
| Bacon Ready Mix, Inc. 1597 Bluff Road, Montebello----- | 19421 | |
| Berlin Brothers Ready Mix Concrete 2457 North Ventura Avenue, Ventura----- | 56048 | |
| Blacktop Materials Co. 9120 Morris Avenue, Sun Valley----- | 19040 | |
| § Change) Decision • Addition) | | |
| EFFECTIVE 8/20/84 | | |
| ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA. | | |
| Correction | | |

| SECTION 3--AREA-TO-POINT RATES (CONTINUED) | |
|--|--|
| LIST OF DELIVERY POINTS (Continued) | |
| Delivery Point | Delivery Zone |
| Bonanza Concrete Co. 15115 Oxnard Street, Van Nuys | 19072 |
| Carlson Building Materials Co. 1432 Thousand Oaks Boulevard, Thousand Oaks | 54113 30034 |
| Chamber-Mix Concrete, Inc. 10732 South Rose Street, Stanton 11234 Western Avenue, Stanton | 30034 30034 |
| Chandler's Palos Verdes Sand & Gravel Co. 385 Walnut Street, Gardena (P.O.) 26311 Narbonne Avenue, Rolling Hills Estates 25701 South Cranshaw Boulevard, Torrance | 19225 19248 19249 |
| Claremont Transit Mixed Concrete Co. 925 East Maryland Avenue, Claremont | 19329 |
| Conrock Co. Porphyry & Quarry Streets, Corona 3200 San Fernando Road, Los Angeles Lawrence Canyon, 1/2 mile east of Hill Street, Oceanside Spruce Street, Riverside 32302 Pasco Adelanto, San Juan Capistrano 4115 West MacArthur, Santa Ana 25183 Cottonwood Avenue, Sunny Mead | 33047 19125 38 33005 30101 30063 33038 |
| Consolidated Rock Products Co. 136 North Brea Boulevard, Brea 7001 Deering Avenue, Canoga Park Ellwood Station Road at Southern Pacific Company right-of-way, Ellwood 339 South Aviation Boulevard, El Segundo 2009 East Pacific Coast Highway, Long Beach 750 East Los Angeles Avenue, Moorpark 11511 South Prospect Avenue, Orange (P.O.) 532 South Raymond Avenue, Pasadena 3 South Salsipuedas Street, Santa Barbara 13949 East Stage Road, Santa Fe Springs 6029 Vineyard Avenue, Saticoy 7621 Katella Avenue, Stanton 11401 Tuxford Street, Sun Valley 2730 South Alameda Street, Vernon 11122 West Pico Boulevard, West Los Angeles 2020 Alinn Street, Wilmington | 30003 19051 42032 19215 19464 56076 30028 19315 42015 19440 56059 30034 19040 19177 19184 19245 |
| Copp Paving Co., Inc. 11927 South Greenstone Avenue, Santa Fe Springs | 19438 |
| Davey & Bobb Ready-Mixed Concrete 1650 East Spring Street, Signal Hill | 19465 |
| No change on this page, Decision | |
| EFFECTIVE 8/20/84 | |
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| Correction | |

MINIMUM RATE TARIFF 17-A

| SECTION 3--AREA-TO-POINT RATES (CONTINUED) | |
|--|---------------|
| LIST OF DELIVERY POINTS (Continued) | |
| Delivery Point | Delivery Zone |
| Pacific Rock & Gravel Co. 24700 Wilmington Avenue, Carson | 19265 |
| Pacific Western Industries, Inc. 9614 South Santa Fe Springs Road, Santa Fe Springs | 19429 |
| Fearman & Sons 14105 South Normandie Avenue, Gardena | 19229 |
| Fowona Block Co., Inc. 4791 Arrow Highway, Montclair | 36048 |
| *Pre-Mixed Concrete Company 3750 Keymar Drive, Carlsbad | 37327 |
| 550 North Tulip Street, Escondido | 37343 |
| 6630 Carroll Road, San Diego | 37412 |
| 9300 Friars Road, San Diego | 37438 |
| 389 Hollister Street, San Diego | 37925 |
| Puente Ready Mix, Inc. 209 North California Avenue, City of Industry | 19385 |
| Rancho Ready Mix 1150 South Rancho Avenue, Colton | 36059 |
| Richardson Mill & Lumber Co. 9613 East Whittier Boulevard, Pico-Rivers | 19422 |
| San Dimas Ready Mix Concrete Co. 536 Arrow Highway, San Dimas | 19332 |
| 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 Kallioq Avenue, Colton | 42030 |
| Sprague's 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 |
| 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 Grove, Mira Loma | 33012 |
| 980 North Newes 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 |
| * Addition, Decision | |
| EFFECTIVE 8/20/84 | |
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| 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 Malstead 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 Premix, Inc. 16282 Construction Circle East, Irvine----- | 30073 |
| United Ready Mixed Concrete Co. 11725 Artesia Boulevard, Artesia----- | 19450 |
| 4988 Firestone Boulevard, South Gate----- | 19207 |
| Opland Concrete Products Co. 1337 Bowen, Opland----- | 36046 |
| Valley Ready-Mix 505 South Benson Avenue, Ontario----- | 36053 |
| 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. 15201 Oxnard Street, Van Nuys----- | 19072 |
| Western Rock Co. 4952 Arrow Highway, Montclair----- | 36048 |
| Williway, Inc., J. 8555 East Whittier Boulevard, Pico-Rivers----- | 19422 |
| Yeager Construction Co., Inc., E. L. 1995 Agua Mansa Road, Riverside----- | 33007 |
| No change on this page, Decision . | |
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