

ALJ/rr/md

84 10 070

OCT 17 1984

Decision

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 sand, rock, gravel
and related items in bulk, in dump
truck equipment between points in
California as provided in Minimum
Rate Tariff 7-A and the revisions
thereof.

Case 5437
Petition for Modification 322
(Filed July 12, 1984)

O P I N I O N

By Decision (D.) 84-07-015 dated July 5, 1984 in Case (C.) 5437, Petition 321, dump truck rates in most items in Minimum Rate Tariff (MRT) 7-A were increased by amounts ranging up to 8 percent at the request of petitioner California Dump Truck Owners Association (CDTOA).

CDTOA asks by this petition that rates in Items 400 and 510 of MRT 7-A also be increased by 8 percent, since those items were inadvertently omitted from its request in Petition 321.

Rates in Item 400 apply to the transportation of debris on an hourly basis; those in Item 510 to certain zone rate transportation within the Antelope Valley area. Justification for the increases is set forth in the data contained in Petition 321. The rates in Items 400 and 510 would have been increased by D-84-07-015 had CDTOA's request in Petition 321 included those two items.

The Commission's staff has reviewed the costs underlying this request and finds the resulting increases reasonable. CDTOA has served copies of its petition on all parties who were served copies of Petition 321. No objection to the request has been received.

Findings of Fact

1. By D-84-07-015 dated July 5, 1984 in C.5437, Pet. 321, rates in MRT 7-A were increased by amounts ranging up to 8 percent.
2. CDTOA inadvertently omitted Items 400 and 510 from its rate increase request in Petition 321.
3. Cost information submitted with Petition 321 supports CDTOA's request in this petition.

Conclusion of Law

The petition should be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. MRT 7-A (Appendix B to D.82061, as amended) is further amended by incorporating Supplement 23, attached, to become effective November 1, 1984.
2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to D.82061, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered by this decision.
3. Tariff publications required 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 effective date of the tariff page attached hereto on not less than five days' notice to the Commission and to the public.
4. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Public Utilities Code Section 461.5 to the extent necessary to adjust long- and short-haul departures now maintained

under outstanding authorizations; such outstanding authorizations are modified 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.82061, 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's authorized tariff publishing agents, performing transportation services subject to MRT 7-A.

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

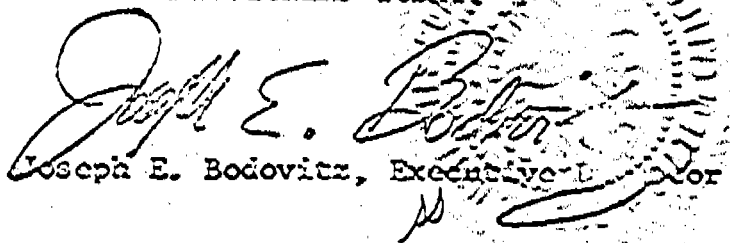
8. The petition is granted as set forth above.

This order is effective today.

Dated OCT 17 1984, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director

SURCHARGE SUPPLEMENT

SUPPLEMENT 23

(Cancels Supplement 22)

(Supplements 9 and 23 Contain All Changes)

TO

MINIMUM RATE TARIFF 7-A

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY IN DUMP TRUCK
EQUIPMENT BETWEEN POINTS IN CALIFORNIA

BY

HIGHWAY CONTRACT CARRIERS

AGRICULTURAL CARRIERS

AND

DUMP TRUCK CARRIERS

Decision No.

84-10-070

EFFECTIVE NOVEMBER 1, 1984

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the rates and rules of this tariff and increase the amount so computed as follows: (See Exception)

1. By thirty and one-half (30-1/2) percent on charges computed at rates provided in Items 290, 300, 310, 320, 325, and 340 for Southern Territory; and Items 480, 490, and 510;
2. By twenty-eight and one-half (28-1/2) percent on charges computed at rates provided in Items 290, 300, 310, 320, 325, and 330 for Northern Territory; and Items 530, 540, 550 and 560;
3. By thirty and one-half (30-1/2) percent on charges computed at Column M rates set forth in Item 400;
4. By twenty-seven (27) percent on charges computed at Column O rates set forth in Item 400;
5. By twenty-eight and three-quarters (28-3/4) percent on charges computed at Column P rates set forth in Item 400; and
6. By twenty-two and one-half (22-1/2) percent on all other rates and charges.

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half (1/2) cent shall be dropped and fractions of one-half (1/2) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

1. Item 90 - Accessorial charges;
2. Items 100 and 110 (Railhead-to-railhead charges only);
3. Item 120 - Bridge and Ferry Tolls;
4. Item 260 - Additional charge for service; and
5. Item 390 - Hourly rates.

THE END

Change
Increase

} Decision No.

84-10-070