

Decision 88 10 017 OCT 14 1988

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.)

Mailed
 OCT 17 1988

ORIGINAL

Case 9819
 Petition for Modification 99
 (Filed May 23, 1988)

OPINION

Brooks Products, Inc. (petitioner) is a California corporation operating out of Fontana, California. A copy of its Articles of Incorporation is attached to this petition. Petitioner has filed to request that Section 3 of Minimum Rate Tariff (MRT) 17-A be amended to authorize the application of area-to-point rates on hauls to petitioner's plant at 14221 San Bernardino Avenue in Delivery Zone 36055.

Petitioner's plant qualifies for the 3-cent per ton rate reduction according to information supplied by the petitioner.

1. Petitioner receives 50,000 tons of rock products per year (1,000 tons is the minimum to qualify).
2. Petitioner's plant has the capacity to store 84 tons of rock, sand, or gravel. (50 tons of storage is the minimum to qualify.)
3. Petitioner's plant has sufficient area to provide the required 150-foot clearance around parked trucks and trailers waiting to unload.

4. Petitioner has a clerk on duty from 7:00 a.m. to 12:00 midnight to sign delivery tickets, accept shipments, and perform other functions as required.
5. Loading and unloading times average 20 minutes for 24 tons. (Time must not exceed 30 minutes.)

Item 3000 of Section 3 of MRT 17-A is quoted as follows:

"APPLICATION OF AREA-TO-POINT RATES

"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.

"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."

Item 3020 of Section 3 is set forth below:

"AREA-TO-POINT RATES

"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."

A "List of Delivery Zones" is provided following Item 3020. Each delivery zone is a specific point identified by the name of the company occupying the land, and an address including house or lot number, street, and city, town, or other designation. Each location is also within a numbered Delivery Zone, as described in the tariff.

The application was noticed in the Commission's Daily Calendar on May 26, 1988. There have been no protests or requests for hearing.

The Transportation Division has recommended that the application be granted.

Findings of Fact

1. Petitioner has applied to qualify his Fontana plant as a Delivery Point under Item 3020 of Section 3 of MRT 17-A.
2. Petitioner receives 50,000 tons of rock products per year; has storage capacity and the necessary area to provide a turn-around for loaded trucks and trailers.
3. Petitioner can complete loading or unloading in about 20 minutes and has personnel on duty from 7:00 a.m. to 12:00 midnight.
4. Petitioner's plant is qualified for designation as a Delivery Zone.
5. The proposed rates are reasonable.
6. A public hearing is not necessary.

Conclusions of Law

1. Section 3 of MRT 17-A should be amended to include petitioner's San Bernardino Avenue address as a new Delivery Zone.
2. The petition should be granted to the extent provided in the following order.
3. The effective date of this order should be today because there is an immediate need for the rate relief.

ORDER

IT IS ORDERED that:

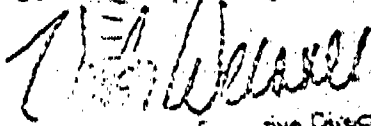
1. Section 3 of MRT 17-A (Appendix C to D.80578, as amended) is further amended by incorporating Eighth Revised Page 3-1 and Eighth Revised Page 3-2, attached, to become effective 30 days after today.
2. In all other respects, D.80578, as amended, shall remain in full force and effect.
3. The Executive Director shall serve a copy of this decision on each subscriber to MRT 17-A.

4. The petition is granted as set forth above.
This order is effective today.

Dated OCT 14 1988, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

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


Victor Weisler, Executive Director
be

SECTION 3--AREA-TO-POINT RATES		ITEM
<p>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>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 POINTS		
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	
Bacon Ready Mix, Inc. 1597 Bluff Road, Montebello-----	19421	
Berlin Brothers Ready Mix Concrete 2457 North Ventura Avenue, Ventura-----	56048	
Blacktop Materials Co. 9120 Norria Avenue, Sun Valley-----	19040	
No change on this page, Decision		
EFFECTIVE /		
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
*Brooks Products, Inc. 14221 San Bernardino Avenue, Fontana-----	36055
Carlson Building Materials Co. 1432 Thousand Oaks Boulevard, Thousand Oaks-----	56113
Chamber-Mix Concrete, Inc. 10732 South Rose Street, Stanton----- 11236 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 Crenshaw Boulevard, Torrance-----	19225 19248 19249
Claremont Transit Mixed Concrete Co. 925 East Maryland Avenue, Claremont-----	19329
Conrock Co. Porphyry & Quarry Street, 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.)----- 552 South Raymond Avenue, Pasadena----- 3 South Salsipuedes 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----- 1020 Blinn 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
Dewey & Bobs Ready-Mixed Concrete 1650 East Spring Street, Signal Hill-----	19465

* Addition, Decision

EFFECTIVE

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

Correction