

Decision 89 09 003 SEP. 7 1989

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 the )  
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 106  
(Filed March 27, 1989)

OPINION

Aman Bros., Inc. has filed to request a modification of Minimum Rate Tariff 17-A (MRT 17-A) and Southern California Production Area and Delivery Zone Directory 1.

Petitioner is a California corporation in the business of producing, marketing, and distributing rock, sand, and gravel products by independent carriers, out of its facility at 5110 Mountain Avenue in San Bernardino County, to various areas in San Bernardino, Riverside, Orange, and Los Angeles Counties. A copy of its Articles of Incorporation is attached to the original petition in this proceeding, in compliance with Rule 16 of the Commission's Rules of Practice and Procedure.

Zone delivery rates are not available from the Mountain Avenue production facility to points within the system of delivery zones established in MRT 17-A, and no production area has been established from this facility. Petitioner alleges that establishing zone rates from its facility on Mountain Avenue will enable petitioner to compete with other rock producers who already charge the rates.

A copy of the application was served on the California Dump-Truck Owners Association, Associated Independent Owner

Operators, Inc., California Carriers Association, California Asphalt Pavement Association, Southern California Rock Products Association, and the Department of Transportation of the State of California. The filing of the application was noted in the Commission's Daily Calendar on March 30, 1989, and there have been no protests or requests for a hearing.

The Transportation Division has recommended that the application be granted.

Findings of Fact

1. Petitioner produces and sells rock, sand, and gravel out of its facility in San Bernardino County. Independent carriers haul the rock to various points in San Bernardino, Riverside, Orange, and Los Angeles Counties.

2. Petitioner is applying to have its facility in San Bernardino County designated as a production area and to establish zone rates on Item 60 commodities from this production area to all zones in Riverside, San Bernardino, and Orange Counties, including selected zones in eastern Los Angeles County.

3. Petitioner is now operating with difficulty since its competitors are authorized to charge zone rates.

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

5. A public hearing is not necessary.

Conclusions of Law

1. MRT 17-A should be amended to extend zone rates from the proposed production area to all zones in Riverside, San Bernardino, and Orange Counties, including selected zones in eastern Los Angeles County.

2. Southern California Production Area and Delivery Zone Directory 1 should be amended to accommodate petitioner's Mountain Avenue facility as a new production area.

ORDER

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (MRT 17-A) (Appendix C to Decision (D.) 80578, as amended) is further amended by incorporating Original Page 7-R, Original Page 7-R-1, and Original Page 7-R-2, attached, to become effective 30 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 Sixth Revised Page 211 and Sixth Revised Page 212, attached, to become effective 30 days after today.
3. In all other respects, D.80578, as amended, shall remain in full force and effect.
4. The Executive Director shall serve a copy of this decision on each subscriber to MRT 17-A.
5. The petition is granted as set forth above.

This order is effective today.

Dated SEP 7 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

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

*Wesley Franklin*

WESLEY FRANKLIN, Acting Executive Director

SECTION 7--ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

FROM SAN BERNARDINO COUNTY PRODUCTION AREA 36-R  
TO THE DELIVERY ZONES SET FORTH BELOW.

ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
19001 601	19051 666	19101 610	19151 567	19201 667	19251 768	19318 399
19002 601	19052 644	19102 630	19152 609	19202 629	19252 759	19315 414
19003 616	19053 621	19103 640	19153 616	19203 621	19253 786	19316 423
19004 607	19054 605	19104 660	19154 659	19204 580	19254 771	19317 426
19005 603	19055 586	19105 667	19155 625	19205 572	19255 748	19318 382
19006 594	19056 569	19106 661	19156 640	19206 549	19256 719	19319 341
19007 580	19057 554	19107 532	19157 681	19207 510	19257 706	19320 331
19008 607	19058 523	19108 551	19158 672	19208 518	19258 679	19321 314
19009 618	19059 513	19109 542	19159 687	19209 550	19259 654	19322 285
19010 616	19060 469	19110 555	19160 721	19210 584	19260 647	19323 285
19011 653	19061 469	19111 538	19161 759	19211 596	19261 621	19324 263
19012 688	19062 451	19112 557	19162 791	19212 622	19262 601	19325 245
19013 663	19063 428	19113 564	19163 828	19213 652	19263 598	19326 220
19014 642	19064 525	19114 575	19164 851	19214 675	19264 617	19327 204
19015 624	19065 481	19115 679	19165 881	19215 681	19265 629	19328 131
19016 606	19066 485	19116 594	19166 624	19216 684	19266 654	19329 144
19017 588	19067 508	19117 590	19167 610	19217 650	19267 666	19330 172
19018 566	19068 508	19118 581	19168 625	19218 625	19268 683	19331 191
19019 569	19069 549	19119 576	19169 592	19219 595	19269 729	19332 220
19020 538	19070 531	19120 562	19170 572	19220 576	19270 753	19333 226
19021 540	19071 547	19121 562	19171 551	19221 550	19271 773	19334 247
19022 528	19072 577	19122 572	19172 541	19222 532	19272 756	19335 263
19023 523	19073 580	19123 564	19173 528	19223 535	19273 809	19336 269
19024 509	19074 601	19124 476	19174 477	19224 558	19274 766	19337 306
19025 506	19075 613	19125 476	19175 517	19225 584	19275 812	19338 332
19026 490	19076 646	19126 452	19176 504	19226 607	19276 780	19339 370
19027 494	19077 662	19127 437	19177 504	19227 636	19277 787	19340 387
19028 490	19078 684	19128 436	19178 509	19228 665	19278 768	19341 440
19029 486	19079 759	19129 427	19179 524	19229 681	19279 769	19342 483
19030 460	19080 728	19130 450	19180 538	19230 644	19280 746	19343 444
19031 450	19081 695	19131 464	19181 554	19231 620	19281 729	19344 432
19032 433	19082 679	19132 466	19182 575	19232 598	19282 715	19345 401
19033 438	19083 676	19133 460	19183 579	19233 569	19283 713	19346 374
19034 448	19084 655	19134 502	19184 592	19234 551	19284 688	19347 343
19035 469	19085 639	19135 543	19185 613	19235 529	19285 680	19348 320
19036 469	19086 628	19136 579	19186 637	19236 566	19286 699	19349 310
19037 483	19087 614	19137 584	19187 663	19237 594	19287 573	19350 293
19038 477	19088 602	19138 637	19188 637	19238 617	19301 452	19351 283
19039 554	19089 583	19139 605	19189 609	19239 659	19302 424	19352 199
19040 554	19090 553	19140 637	19190 569	19240 705	19303 627	19353 189
19041 565	19091 529	19141 582	19191 543	19241 677	19304 611	19354 175
19042 596	19092 513	19142 562	19192 493	19242 658	19305 409	19355 218
19043 622	19093 506	19143 535	19193 524	19243 666	19306 404	19356 224
19044 648	19094 499	19144 503	19194 538	19244 628	19307 459	19357 238
19045 666	19095 488	19145 493	19195 554	19245 601	19308 385	19358 235
19046 687	19096 501	19146 490	19196 577	19246 586	19309 370	19359 233
19047 705	19097 485	19147 488	19197 603	19247 647	19310 341	19360 211
19048 724	19098 460	19148 501	19198 601	19248 674	19311 366	19361 231
19049 703	19099 466	19149 513	19199 640	19249 687	19312 390	19362 301
19050 687	19100 490	19150 525	19200 645	19250 782	19313 375	19363 315

CHANGE, DECISION

89 09 003

EFFECTIVE

OCT 7 1989

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

Correction

SECTION 7--ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

FROM SAN BERNARDINO COUNTY PRODUCTION AREA 36-R  
TO THE DELIVERY ZONES SET FORTH BELOW

ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
19364 312	19426 476	19607 648	30039 539	30097 651	33041 421	33091 568
19365 319	19427 403	19608 683	30040 505	30098 671	33042 433	33092 561
19366 331	19428 417	19609 658	30041 497	30099 590	33043 428	33093 580
19367 346	19429 446	19610 687	30042 479	30100 607	33044 403	33094 602
19368 370	19430 417	19700 629	30043 461	30101 639	33045 366	33095 614
19369 382	19431 415	19701 643	30044 441	30102 665	33046 364	33096 644
19370 405	19432 425	19702 674	30045 440	30103 695	33047 366	33097 614
19371 426	19433 475	19703 710	30046 429	30114 685	33048 330	33098 592
19372 460	19434 461	19704 743	30047 447	30117 714	33049 300	33099 573
19373 488	19435 488	19705 776	30048 465	30118 721	33050 351	33100 594
19374 466	19436 445	19706 713	30049 501	33001 570	33051 428	33101 591
19375 446	19437 438	19707 726	30050 471	33002 564	33052 455	33102 607
19376 428	19438 446	30001 361	30051 456	33003 534	33053 445	33123 629
19377 427	19439 394	30002 338	30052 469	33004 547	33054 446	33124 558
19378 420	19440 422	30003 321	30053 473	33005 358	33055 586	33105 355
19379 419	19441 451	30004 368	30054 471	33006 343	33056 546	36001 307
19380 386	19442 454	30005 382	30055 473	33007 314	33057 540	36002 374
19381 371	19443 460	30006 407	30056 501	33008 306	33058 523	36003 360
19382 368	19444 490	30007 395	30057 523	33009 300	33059 496	36004 362
19383 361	19445 492	30008 363	30058 542	33010 291	33060 469	36005 386
19384 333	19446 521	30009 341	30059 563	33011 255	33061 468	36006 371
19385 344	19447 499	30010 370	30060 550	33012 261	33062 482	36007 361
19397 265	19448 469	30011 388	30061 524	33013 281	33063 385	36008 332
19398 252	19449 487	30012 357	30062 494	33014 311	33064 385	36009 280
19399 236	19450 473	30013 388	30063 535	33015 345	33065 481	36010 267
19401 338	19451 473	30014 417	30064 491	33016 354	33066 521	36011 248
19402 332	19452 450	30015 433	30065 481	33017 464	33067 601	36012 212
19403 306	19453 485	30016 460	30066 511	33018 437	33068 617	36013 182
19404 252	19454 488	30017 487	30067 571	33019 421	33069 605	36014 195
19405 281	19455 512	30018 480	30068 550	33020 371	33070 618	36015 92
19406 294	19456 516	30019 458	30069 566	33021 353	33071 654	36016 92
19407 302	19457 560	30020 435	30070 563	33022 319	33072 650	36017 104
19408 310	19458 536	30021 421	30071 542	33023 374	33073 643	36018 106
19409 344	19459 560	30022 386	30072 519	33024 346	33074 622	36019 126
19410 344	19460 524	30023 373	30073 499	33025 286	33075 544	36020 154
19411 355	19461 492	30024 392	30074 526	33026 291	33076 525	36021 193
19412 349	19462 518	30025 387	30075 546	33027 283	33077 503	36022 204
19413 373	19463 547	30026 476	30076 533	33028 273	33078 540	36023 232
19414 428	19464 569	30027 465	30077 544	33029 270	33079 532	36024 257
19415 417	19465 591	30028 438	30078 558	33030 307	33080 535	36025 286
19416 445	19466 611	30029 407	30079 558	33031 307	33081 535	36026 318
19417 469	19467 561	30030 435	30080 563	33032 316	33082 566	36027 355
19418 480	19468 555	30031 406	30081 521	33033 377	33083 696	36028 379
19419 465	19469 527	30032 427	30082 567	33034 340	33084 677	36029 404
19420 453	19600 480	30033 456	30091 599	33035 377	33085 631	36030 433
19421 448	19601 507	30034 483	30092 590	33036 410	33086 598	36031 402
19422 406	19602 517	30035 507	30093 597	33037 423	33087 579	36032 393
19423 407	19603 568	30036 521	30094 621	33038 448	33088 558	36033 440
19424 439	19605 560	30037 532	30095 628	33039 472	33089 544	36034 425
19425 440	19606 606	30038 512	30096 595	33040 451	33090 544	36035 391

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Correction

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,  
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SECTION 7--ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

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TO THE DELIVERY ZONES SET FORTH BELOW

ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
36036 364	36086 231					
36037 354	36087 245					
36038 330	36088 247					
36039 297	36089 235					
36040 263	36090 258					
36041 242	36091 259					
36042 208	36092 262					
36043 190	36301 427					
36044 174	36302 463					
36045 150	36303 500					
36046 130	36304 541					
36047 126	36305 585					
36048 135	36306 629					
36049 183	36307 663					
36050 184	36308 689					
36051 168	36309 715					
36052 166	36310 691					
36053 183	36311 680					
36054 202	36312 709					
36055 221	36313 744					
36056 241	36314 780					
36057 265	36315 813					
36058 293	36316 845					
36059 322	36317 877					
36060 338	36318 905					
36061 359	36319 931					
36062 387	36320 960					
36063 413	36321 980					
36064 422	36322 975					
36065 445	36323 943					
36066 459	36324 909					
36067 476	36325 876					
36068 498	36326 846					
36069 501	36327 804					
36070 488	36328 565					
36071 450	36329 531					
36072 395	36330 493					
36073 357	36331 454					
36074 364	36332 419					
36075 301						
36076 240						
36077 225						
36078 218						
36079 205						
36080 186						
36081 201						
36082 215						
36083 236						
36084 226						
36085 211						

CHANGE, DECISION

89 09 003

EFFECTIVE OCT 7 1989

Correction

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

SECTION 5--SAN BERNARDINO COUNTY PRODUCTION AREAS AND  
DELIVERY ZONES (Continued)

SAN BERNARDINO COUNTY PRODUCTION AREAS

AREA

Beginning at the intersection of Alabama Street and East 3rd Street; easterly along East 3rd Street to Church Street; southerly along Church Street and its prolongation to the south bank of the Santa Ana River; westerly along the south bank of the Santa Ana River to Alabama Street; northerly along Alabama Street to the point of beginning.

36-D

Beginning at the intersection of Lime Avenue and Arrow Highway; easterly along Arrow Highway to Tokay Avenue; southerly along Tokay Avenue to The Atchison, Topeka and Santa Fe Railway Company right-of-way; westerly along The Atchison, Topeka and Santa Fe Railway Company right-of-way to Lime Avenue; northerly along Lime Avenue to the point of beginning.

36-E

No change on this page, Decision **89 09 003**

EFFECTIVE **OCT 7 1989**

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

Correction

SECTION 5--SAN BERNARDINO COUNTY PRODUCTION AREAS AND  
 DELIVERY ZONES (Continued)

SAN BERNARDINO COUNTY PRODUCTION AREAS	AREA
<p>Beginning at the intersection of Los Angeles County-San Bernardino County line with Arrow Highway (8th Street); easterly along Arrow Highway (8th Street) to Central Avenue; northerly along Central Avenue and its prolongation to the westerly prolongation of 14th Street; westerly along the prolongation of 14th Street to the Los Angeles County-San Bernardino County line; southerly along the Los Angeles County-San Bernardino County line to the point of beginning.</p>	36-H
<p>Includes the area northeasterly of Riverside Avenue within the boundary of a semi-circle one (1) mile in radius, the base of which is Riverside Avenue and the center point the intersection of Riverside Avenue and Locust Avenue.</p>	36-I
<p>Beginning at the intersection of the Los Angeles County-San Bernardino County line with the prolongation of 14th Street; easterly along the prolongation of 14th Street and 14th Street to Benson Avenue; northerly along Benson Avenue to 20th Street; easterly along 20th Street to Wilson Avenue; northerly along the prolongation of Wilson Avenue to 22nd Street; westerly along 22nd Street and its prolongation to the Los Angeles County-San Bernardino County line; southwesterly along said county line to the point of beginning.</p>	36-L
<p>Beginning at the intersection of 16th Street and Campus Avenue; easterly along 16th Street to the Cucamonga Wash; northwesterly along the Cucamonga Wash to the easterly prolongation of 22nd Street; westerly along the prolongation of 22nd Street to the northerly prolongation of Campus Avenue; southerly along the prolongation of Campus Avenue and Campus Avenue to the point of beginning.</p>	36-M
<p>Beginning at the intersection of Agua Mansa Road and Rancho Avenue, in the City of Colton, northerly along Rancho Avenue to the south line of the Southern Pacific Company right-of-way; westerly along said right-of-way to Meridian Avenue; southerly along Meridian Avenue to the intersection of Meridian Avenue and Slover Avenue; westerly to the intersection of Slover Avenue and Eucalyptus Avenue; southerly along a prolongation of Eucalyptus Avenue to Agua Mansa Road; easterly along Agua Mansa Road to the point of beginning at the intersection of Agua Mansa Road and Rancho Avenue.</p>	36-N
<p>Beginning at the intersection of San Bernardino Avenue and Etiwanda Avenue; easterly along San Bernardino Avenue to the intersection thereof with Mulberry Avenue; southerly along Mulberry Avenue to the intersection thereof with Valley Boulevard; westerly along the prolongation of Valley Boulevard to the intersection of Etiwanda Avenue; northerly along Etiwanda Avenue to the point of beginning.</p>	36-P
<p>Beginning at the intersection of Etiwanda Avenue and The Atchison, Topeka and Santa Fe Railway tracks; easterly along The Atchison, Topeka and Santa Fe Railway tracks to the intersection thereof with Cherry Avenue; southerly along Cherry Avenue to the intersection thereof with San Bernardino Avenue; westerly along San Bernardino Avenue to the intersection thereof with Etiwanda Avenue; northerly along Etiwanda Avenue to the point of beginning.</p>	36-Q
<p>The area lying north of an east-west line along San Antonio Dam, bounded on the west by Camp Baldy Road, on the east by Mountain Avenue, and on the north by the Angeles National Forest Boundary.</p>	*36-R

\* Addition, Decision

89 09 003

EFFECTIVE OCT 7 1989

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

Correction