

Decision 89 11 612 NOV 3 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Harris Transportation Co., a)
California corporation, for authority)
to depart from the rates, rules and)
regulations of Minimum Rate Tariff)
7-A in the transportation of rock,)
sand and gravel in bulk in dump)
truck equipment for Crystal Hill)
Sand & Gravel Co., Inc., under)
provisions of Section 3666 of the)
Public Utilities Code.)

ORIGINAL

Application 89-05-061
(Filed May 26, 1989)

O P I N I O N

Harris Transportation Co. (applicant) is a California corporation located in Victorville, California. A copy of its Articles of Incorporation was filed on February 14, 1977 in Application 57079. Applicant operates as a highway common carrier, heavy-specialized carrier, agricultural carrier, and a highway contract carrier. Applicant also holds a dump truck permit authorizing statewide hauling under file Cal. T-119745.

Authorization is requested to deviate from minimum rates for the transportation of rock, sand, and gravel, in bulk in dump truck equipment as described in Item 30 of Minimum Rate Tariff (MRT) 7-A from Crystal Hill Sand & Gravel Co., Inc., located on Meridian Road south of Lucerne Valley, near the Pfizer, Inc. and Pluess-Staufer limestone plants, to points in California where the destination point is within 150 miles of the origin point. Transportation would be performed for Crystal Hill Sand & Gravel Co., Inc., 6950 Meridian Road, Lucerne Valley, CA 92356.

Commodities to be transported are specified in Item 30 MRT 7-A with rates provided in Item 290. Rates are based on minimum weights of 24 tons, and vary according to the distance travelled. Distances are actual highway mileages computed in

accordance with Item 150. Rates are subject to a surcharge of 2.2 percent as provided in Supplement 28, and effective July 1, 1989, as provided in Supplement 29 which cancels Supplement 28. Rates are subject to additional charges for weekend and holiday work per Item 260 of MRT 7-A.

For such transportation, applicant proposes to assess the rates shown in Appendix B, attached hereto. The equipment to be used will be truck and pup, bottom dumps, or transfer bodies. If transfers are requested by shipper, then all provisions of MRT 7-A will apply, and no deviated rates are requested.

This application is based upon the following facts and circumstances:

1. The transportation will be performed on a regular, continuing basis with approximately 24 to 32 loads per day available for transportation. The materials to be transported would be available for loading 13 hours per day, 5 days per week. Applicant can therefore schedule its equipment in the most efficient manner.

2. Applicant's equipment is normally stored at the terminal located in Victorville. Consequently, there is a very small amount of excess mileage involved in dispatching the equipment to the loading point. Normally, equipment would be dispatched from Victorville and travel 27.7 miles to Crystal Hill Sand & Gravel Co., Inc. where it would be loaded with a shipment destined to a point in the Victorville, Apple Valley, Hesperia area, or with some loads to other areas in Southern California. Generally, movement of loaded equipment would be in the direction of applicant's terminal at Victorville. The same unit of equipment can be utilized specifically for the shipper and due to the short mileages, complete multiple loads per day from the plant to points of destination and returning to the plant. Therefore, all mileages demonstrated in Appendix B are double the one-way mileage.

3. The loading conditions of the shipper's facility have been timed at 18 minutes to obtain the light weight, load and get a heavy weight. Loading is accomplished by a loader operated by shipper and takes approximately 10 minutes. Applicant's trucks can be loaded immediately upon their arrival without waiting. There is an accurate scale available to applicant on the property of the shipper at the loading point. Similarly, the unloading conditions at the facilities of various consignees are favorable. Unloading is done quickly by gravity. Over-all, very little waiting time has been experienced by applicant in this type of transportation, with a typical unloading time of 10 to 15 minutes.

4. Applicant's personnel are experienced in dump truck transportation, with most of applicant's revenue derived from transportation under commodities named in MRT 7-A. Much of this transportation originates in remote desert regions where road conditions and other operating conditions are more severe than those involved in the hauling from Crystal Hill Sand & Gravel Co., Inc.

The shipper (Crystal Hill Sand & Gravel Co., Inc.) provided a supporting letter and applicant has included a cost study which indicates that the operation will be profitable if the proposed rates are charged. Applicant presently performs this transportation for the shipper and will not be using subhaulers.

Applicant is operating at a profit and is financially stable as indicated by its December 31, 1988 income statement and balance sheet.

Copies of the application were mailed to the California Trucking Association, California Dump Truck Owners' Association, and the California Carriers' Association. The filing of the application was noticed in the Commission's Daily Transportation Calendar on June 2, 1989. There have been no protests or requests for a hearing.

The Transportation Division has recommended that the application be granted.

Findings of Fact

1. Applicant seeks authority to deviate from the minimum rates in MRT-7-A on the transportation of rock, sand, and gravel in bulk, in dump truck equipment, from a plant in Lucerne Valley to destinations in California within 150 miles of the point of origin.
2. Applicant will be transporting 24 to 32 loads (25 tons each) per day on Monday through Friday.
3. Applicant's trucks can be loaded within 18 minutes upon arrival. Power equipment is utilized and available 13 hours a day, 5 days per week.
4. Unloading is accomplished by gravity in 10-15 minutes.
5. Trucks are loaded within 20 minutes, proceed to destination, unload in 10-15 minutes, and return to origin for another load.
6. Cost data submitted with the application indicate that transportation at the proposed rate will be compensatory.
7. Applicant has stated that subhaulers will not be used.
8. No protests have been received.
9. A public hearing is not necessary.
10. The proposed rate is reasonable.

Conclusions of Law

1. The application should be granted to the extent set forth in the following order.
2. Since there is an immediate need for the sought relief, the effective date of this order should be today.
3. This authority should expire in one year.

ORDER

IT IS ORDERED that:

1. Harris Transportation Co. may depart from the rates in Minimum Rate Tariff (MRT) 7-A by charging not less than the rates in Appendixes A and B.
2. This authority shall expire one year after the effective date of this order.
3. In all other respects, the provisions of MRT 7-A shall apply.

This order is effective today.

Dated NOV 3 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.

- 5 -

Wesley Franklin
WESLEY FRANKLIN, Acting Executive Director
pb

APPENDIX A

Carrier: Harris Transportation Co.

Commodity: Rock, sand, and gravel as described in Item 30 of Minimum Rate Tariff (MRT) 7-A.

Origin: Crystal Hill Sand & Gravel Co., Inc. on Meridian Road south of Lucerne Valley.

Destination: Points of destination in California located 150 miles or less from origin.

Minimum Weight: 25 tons per unit of equipment.

Rate: See Appendix B attached.

Conditions:

1. Rates listed in Appendix B will be charged without assessing weekend or holiday (Item 260) premium charges, or other additional charges from MRT 7-A.
2. If there is equipment delay, accessorial charges will be determined according to rates and rules in Item 90 of MRT 7-A.
3. Should transfer equipment be requested by the shipper and used by the carrier, MRT 7-A rates will be charged and Appendix B rates will not be applicable.
4. If subhaulers are employed to perform this transportation, they will receive 100% of the rate charged.

(END OF APPENDIX A)

APPENDIX B

CRYSTAL HILL SAND & GRAVEL CO., INC.

RATE PAGE
(In Cents Per Ton)

MILES		RATE	MILES		RATE
Over	Not Over		Over	Not Over	
0	1	60	36	37	350
1	2	70	37	38	360
2	3	80	38	39	365
3	4	90	39	40	375
4	5	100	40	41	385
5	6	110	41	42	395
6	7	120	42	43	405
7	8	130	43	44	415
8	9	140	44	45	425
9	10	150	45	46	435
10	11	160	46	47	445
11	12	170	47	48	455
12	13	175	48	49	465
13	14	185	49	50	480
14	15	190	50	52	500
15	16	200	52	54	530
16	17	210	54	56	560
17	18	215	56	58	590
18	19	225	58	60	620
19	20	230	60	63	640
20	21	235	63	66	665
21	22	245	66	69	685
22	23	250	69	72	710
23	24	260	72	75	730
24	25	270	75	80	775
25	26	275	80	85	820
26	27	280	85	90	865
27	28	285	90	95	905
28	29	290	95	100	950
29	31	300	100	110	1025
31	32	310	110	120	1095
32	33	315	120	130	1170
33	34	325	130	140	1185
34	35	335	140	150	1255
35	36	345			

(END OF APPENDIX B)