

T/MC

Decision 90 05 050 MAY 7 1990

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.)

ORIGINAL

Case 9819
 Petition for Modification 115
 (Filed August 14, 1989)

ORDER CORRECTING CLERICAL ERROR

It has come to our attention that the tariff pages accompanying Decision (D.) 90-03-057 were not correctly printed. Therefore, these tariff pages have been reissued.

Pursuant to Resolution A-4661,

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (Appendix C to D.80578, as amended) is further amended by incorporating Thirteenth Revised Page 1-4, Twentieth Revised Page 1-5, Second Revised Page 1-5-A, Ninth Revised Page 1-6-A, Ninth Revised Page 1-8-A and the First Revised Page 15.6, to be effective today.
2. In all other respects D.90-03-057, as amended, shall remain in full force and effect.

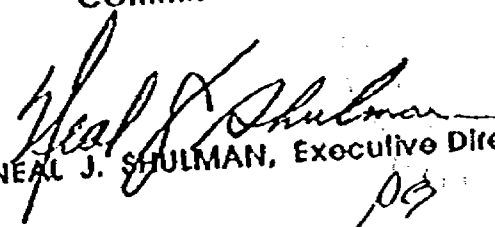
3. The Executive Director shall serve a copy of this decision on each subscriber to Minimum Rate Tariff 17-A.

This order is effective today.

Dated MAY 7 1990, at San Francisco, California.

/s/ WILLIAM R. SCHULTE
William R. Schulte, Director
Transportation Division

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


NEAL J. SHULMAN, Executive Director
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MINIMUM RATE TARIFF 17-A

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act. They apply for transportation of property by highway contract carriers and dump truck carriers, as defined in said Highway Carriers' Act, in bulk in dump truck equipment.</p>	40
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodities:</p> <p>Asphaltic or cement concrete, crushed or re-crushed;</p> <p>Rock, natural, crushed, chips, waste or dust (Subject to Notes 1 and 2);</p> <p>Sand;</p> <p>Gravel;</p> <p>Cement, in dry mixtures with the above commodities, in batches (Subject to Note 3).</p> <p>NOTE 1.--The term "rock", as used herein, includes stone.</p> <p>NOTE 2.--The term "rock", as used herein, does not include any rock or rocks, having a combined length and girth in excess of 65 inches per single rock.</p> <p>NOTE 3.--Rates in this tariff apply for the transportation of cement only when the volume of the cement does not exceed one-third of the volume of the shipment.</p>	60
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodities (Subject to Notes 2 and 3):</p> <p>Asphaltic concrete;</p> <p>Cold road oil mixture;</p> <p>Cold liquid asphalt in containers not exceeding 5 gallons capacity per container (Subject to Note 1).</p> <p>NOTE 1.--Cold liquid asphalt will be transported under the provisions of this tariff, at rates which apply for the transportation of asphaltic concrete, when tendered for transportation with, and as part of, a shipment of asphaltic concrete, and when the quantity so tendered does not exceed 15 gallons per shipment.</p> <p>NOTE 2.--When these commodities are transported in trucks without trailing equipment, the rates in Sections 11, 12, 13, 14 and 15 will apply.</p> <p>NOTE 3.--When these commodities are transported in trucks with trailing equipment or tractors with trailers, the rates in Sections 15.1, 15.2, 15.3, 15.4, 15.5 and 15.6 will apply.</p>	65
<p>No change on this page, Decision 90-05-050</p>	
<p>EFFECTIVE MAY 7, 1990</p>	
<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p> <p>Correction</p>	

MINIMUM RATE TARIFF 17-A

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodity: Decomposed Granite</p>	70
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of: SLAG, Blast Furnace and Open Hearth, air cooled (not expanded)</p>	75
<p style="text-align: center;">APPLICATION OF TARIFF--GENERAL</p> <p>Rates in this tariff do not apply to the transportation of:</p> <ul style="list-style-type: none"> (a) Disaster Supplies, i.e, those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency. (b) Property of the United States or property transported under an agreement whereby the United States contracted for the carrier's service. (c) Property transported for a displaced person when the cost thereof is borne by a public entity as provided in Section 7262 of the Government Code. 	80
<p style="text-align: center;">APPLICATION OF TARIFF--RATES</p> <p>Except as otherwise provided, the rates in this tariff are zone rates and area-to-point rates. The rates apply from all points of origin within the designated production areas to all points of destination within the designated delivery zones, and to specifically named delivery points.</p> <p>If any portion of a shipment is physically delivered into or beyond more than one delivery zone, the minimum rate for the entire shipment shall be that rate from point of origin to the highest rated point where physical delivery is made.</p> <p>EXCEPTION.--When any portion of a shipment is delivered into more than one zone, and when no portion of such shipment is physically delivered beyond the boundaries of streets which are the boundaries between the zones involved, the minimum rate for the entire shipment shall be the lower or the lowest of the applicable rates between point of origin and the zones into which delivery is made.</p>	100
<p style="text-align: center;">APPLICATION OF TARIFF--RATES</p> <p>(a) When the transportation service is performed by 2-axle or 3-axle trucks with transfer type pull trailer or by 2-axle or 3-axle trucks with pup type trailing equipment and when in the course of accomplishing the delivery the operator disconnects and separates the trailer from the truck, the rate shall be thirty (30) cents per ton in addition to those rates provided for when transportation is performed at the rates in Sections 4, 5, 6, 7, 8, 9, 9.1, 9.2 and 10 in this tariff or at rates which are combined with such section rates.</p> <p>(b) When the transportation service is performed by dump trucks with transfer type pull trailers or with pup type trailing equipment and when in the course of accomplishing the delivery the operator disconnects and separates the trailer from the truck, the rate shall be sixty-eight (68) cents per ton in addition to those rates provided when transportation is performed at the rates in Sections 15.1, 15.2, 15.3, 15.4, 15.5 and 15.6 of this tariff.</p> <p style="text-align: center;">(Continued)</p>	120
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MINIMUM RATE TARIFF 17-A

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--RATES (Concluded)</p> <p>(c) When transportation by a truck with transfer trailer or pup trailer in combination has been ordered into service under rates in Sections 15.1, 15.2, 15.3, 15.4, 15.5 and 15.6 and carrier is subsequently requested to unhook the truck from the trailer and work as a truck without trailing equipment under Sections 11, 12, 13, 14 and 15, a charge of \$5.43 per shipment shall be assessed as a compensation for the standing trailer unit.</p>	120
<p>No change on this page, Decision 90-05-050</p>	
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<p>Correction</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

MINIMUM RATE TARIFF 17-A

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--TERRITORIES</p> <p>Rates in this tariff apply for transportation from all points within the production areas to all points within the delivery zones described in Southern California Production Area and Delivery Zone Directory 1, and to specifically named delivery points as provided in Section 3 of this tariff. They apply also, to the extent specified elsewhere herein, for transportation from all points within said production areas to points outside of said delivery zones.</p>	140
<p style="text-align: center;">APPLICATION OF OTHER MINIMUM RATE TARIFFS</p> <p>Except as otherwise provided, the rates in this tariff supersede, and apply to the exclusion of, rates applicable to the same transportation under other minimum rate tariffs of the Commission.</p> <p>For rates for the transportation of commodities in dump truck equipment, other than as provided in this tariff, see Minimum Rate Tariff 7-A or other tariffs, as the case may be.</p>	160
<p style="text-align: center;">ACCESSORIAL CHARGES (At Origin)</p> <p>In addition to the charges provided by Sections 15.1 through 15.6, when through no fault of the carrier the loading and release of carrier's equipment is delayed for more than 60 minutes, an accessorial charge of \$3.50 for each additional six (6) minutes (one-tenth of an hour) of delay shall be assessed. Delays shall be computed from required time of arrival or actual time of arrival, whichever is later. This charge shall not apply in the event of a breakdown of the producer plant.</p>	170
<p style="text-align: center;">ACCESSORIAL CHARGES (At Destination)</p> <p>In addition to the charges provided under Sections 11, 12, 13, 14, 15, and when, through no fault of the carrier, the unloading and release of the carrier's equipment after arrival at destination is delayed beyond the time allowance shown herein, a charge shown herein shall be assessed by the carrier for each six (6) minutes (one-tenth of an hour) or fraction thereof:</p> <p>Additional charges to the above sections shall be assessed for 2- and 3-axle equipment as provided in Item 90 of Minimum Rate Tariff 7-A (\$2.51, as amended).</p> <p style="padding-left: 40px;">When transportation is performed by 2- and 3-axle dump truck equipment -- 30 minutes.</p> <p>In addition to the charges provided under Sections 15.1, 15.2, 15.3, 15.4, 15.5 and 15.6, and when, through no fault of the carrier, the unloading and release of the carrier's equipment, after the arrival at destination is delayed beyond the time allowance shown herein, a charge equal to one-tenth of the applicable hourly rate shown in Column M of Item 390, Minimum Rate Tariff 7-A, per unit of carrier's equipment (4- and 5-axle) shall be assessed for each six (6) minutes (one-tenth of an hour) or fraction thereof:</p> <p style="padding-left: 40px;">When transportation is performed by dump truck and transfer trailer combination equipment -- 30 minutes.</p> <p style="padding-left: 40px;">When transportation is performed by other than a dump truck and transfer trailer combination equipment -- 15 minutes.</p> <p style="text-align: center;">(Continued)</p>	180
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MINIMUM RATE TARIFF 17-A

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">CHARGE FOR TRACTOR AND DRIVER WITHOUT TRAILING EQUIPMENT</p> <p>Charges to be paid by a consignor, consignee or other person responsible for payment of freight charges (except an overlying carrier) to a carrier furnishing a tractor and driver without trailing equipment, but towing trailing equipment furnished by the debtor, consignee or consignor, shall be not less than 85 percent of the otherwise applicable charge. In assessing charges under the tonnage (zone) rates contained in Sections 3, 4, 5, 6, 7, 8, 9, 9.1, 9.2, 10, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6 and 16 of this tariff, the carrier furnishing the tractor and driver need not assess a charge for the amount of the unladen weight of the trailing equipment when under load, nor assess a charge for the empty return movement. (See Exception)</p> <p>EXCEPTION.--The provisions of this item shall not apply when trailing equipment is furnished by any party other than the debtor, consignee or consignor, of the specific transportation charges involved. (See Item 460)</p>	250
<p style="text-align: center;">CHARGE FOR TRACTOR AND DRIVER WITHOUT TRAILING EQUIPMENT (BY OVERLYING CARRIER)</p> <p>Except as provided in Note 1, charges to be paid by and overlying carrier to an underlying carrier furnishing a tractor and driver without trailing equipment, but towing trailing equipment furnished by the overlying carrier shall be not less than 80 percent of the charges applicable under the minimum rates prescribed in this tariff. In assessing charges under the tonnage (zone) rates contained in Sections 3, 4, 5, 6, 7, 8, 9, 9.1, 9.2, 10 and 16 of this tariff, the carrier furnishing the tractor and driver need not assess a charge for the amount of the unladen weight of the trailing equipment when under load, nor assess a charge for the empty return movement.</p> <p>NOTE 1.--The overlying carrier shall be entitled to deduct from the charges to be paid under this item any amount that the overlying carrier is entitled to retain under the application of Item 460.</p> <p>NOTE 2.--An overlying carrier shall not require that an underlying carrier use trailers owned or controlled by the overlying carrier as a condition precedent to the engagement of the underlying carrier's service.</p>	255
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SECTION 15.6

ZONE RATES

FOR THE

TRANSPORTATION OF ASPHALTIC CONCRETE

AND

COLD ROAD OIL MIXTURE

By Dump Trucks With
Trailing Equipment (4- and 5-Axle) or
Tractors with Trailers (4- and 5-Axle)

From

Production Areas Located Within

San Diego County

To

Delivery Zones Located Within

San Diego County

and

Riverside County

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Correction