

Decision 90 09 070 SEP 25 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
 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 121
 (Filed April 16, 1990)

O P I N I O N

A&A Ready Mixed Concrete Inc. (petitioner) is a California corporation located in Gardena, California.

Petitioner requests a modification of Minimum Rate Tariff (MRT) 17-A and Southern California Production Area and Delivery Zone Directory No. 1, by adding new delivery points to Section 3 (Area-to-Point Rates) of MRT 17-A for Item 60 commodities. Petitioner further requests that the Commission modify a delivery point designation to reflect a change of plant ownership, and correct a Delivery Zone designation error.

Petitioner now receives rock, sand, and gravel from Los Angeles County for use in its ready-mixed concrete batch plants located at the following Los Angeles County locations:

100 E. Redondo Beach Boulevard
 Gardena, CA 90248
 Delivery Zone 19220

1361 W. Sepulveda Boulevard
 Torrance, CA 90501
 Delivery Zone 19238

1650 E. Spring Street
 Signal Hill, CA 90806
 Delivery Zone 19465

Petitioner purchased the latter location in December 1982 from Dewey and Bobs Ready Mixed Concrete; this is the location petitioner requests the delivery point designation be modified to reflect the ownership change.

Petitioner requests that MRT 17-A, Ninth Revised Page 3-1 dated March 25, 1990 be corrected to indicate that its 134 W. Redondo Beach Boulevard, Gardena plant is in Delivery Zone 19225; the Delivery Zone is shown incorrectly as 19925. We will order this correction.

Petitioner receives aggregates as set forth above from for-hire dump truck operators it engages to transport the items from designated production areas to its various delivery points.

Petitioner's plants qualify for the 3-cent per ton rate reduction according to the following information furnished by petitioner:

1. Petitioner has received, or expects to receive, 1,000 tons or more per year.
2. Petitioner's facilities include space for bunker reception or stock piling of rock and sand in quantities of at least 50 tons at a time.
3. Petitioner's plants have adequate space to provide the required 150-foot clearance around parked trucks and trailers waiting to unload.
4. Petitioner maintains personnel on duty while transporting service is being furnished, for the purpose of signing delivery tickets and performing other functions necessary to the receipt of shipments.
5. The average loading and unloading time for a dump truck and trailer combination does not exceed 30 minutes per 24 tons.

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 Points" is provided following Item 3020. Each delivery point is 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 described in Directory 1.

The application was noticed in the Commission's Daily Transportation Calendar on April 20, 1990. There have been no protests or requests for hearing.

The Commission's Transportation Division recommends that the application be granted.

Findings of Fact

1. Petitioner has applied to qualify its plants in Torrance and 100 E. Redondo Beach Boulevard, Gardena, as Delivery Points under Item 3020 of Section 3 of MRT 17-A.

2. Petitioner requests the Delivery Point designation of its Signal Hill plant be modified to reflect a change of ownership.

3. Petitioner receives 1,000 tons or more of aggregates per year, and has storage capacity and the necessary area to provide a turnaround for loaded trucks and trailers.

4. Petitioner can complete loading or unloading of 24 tons in 30 minutes or less, and has personnel on duty while transporting service is being furnished.

5. The proposed rates are reasonable.

6. MRT 17-A, Ninth Revised Page 3-1 dated March 25, 1990 incorrectly indicates that Petitioner's 134 W. Redondo Beach Boulevard, Gardena plant is in Delivery Zone 19925. The correct Delivery Zone is 19225.

7. A public hearing is not necessary.

Conclusions of Law

1. Section 3 of MRT 17-A should be amended to include petitioner's addresses of new Delivery Points; 1361 W. Sepulveda Boulevard, Torrance and 100 E. Redondo Beach Boulevard, Gardena and to reflect the Signal Hill plant change of ownership.

2. Petitioner's 134 W. Redondo Beach Boulevard, Gardena Delivery Zone should be corrected.

3. The petition should be granted to the extent provided in the following order.

4. The effective date of this order should be today because there is an immediate need for the rate relief.

O R D E R

IT IS ORDERED that:

1. Section 3 of Minimum Rate Tariff (MRT) 17-A (Appendix C to Decision (D.) 80578, as amended) is further amended by incorporating Tenth Revised Page 3-1 and Tenth 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.

C.9819, Pet. 121 ALJ/BRS/pc

3. The Executive Director shall serve a copy of this decision on each subscriber to MRT 17-A:

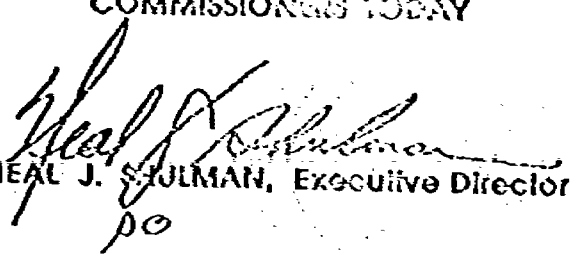
This order is effective today.

Dated SEP 25 1990, at San Francisco, California.

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

Commissioner John B. Ohanian,
being necessarily absent, did
not participate.

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


NEAL J. SULMAN, Executive Director
po

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
<p>A & A Ready Mixed Concrete, Inc. 134 West Redondo Beach Blvd., Gardena (P.O.)..... *100 E. Redondo Beach Blvd., Gardena..... *1361 W. Sepulveda Blvd., Torrance..... *1650 E. Spring Street, Signal Hill.....</p> <p>All American Asphalt 14490 Edwards Street, Westminster.....</p> <p>American Pipe & Construction Co. 4550 East Mason, South Gate.....</p> <p>Arrow Building Material 19650 East Arrow Highway, Covina (P.O.).....</p> <p>Artesia Ready-Mix Concrete 13134 East South Street, Cerritos.....</p> <p>Asphalt Service (A & L Asphalt Company, dba) Lawrence Canyon, mile East of Hill Street, Oceanside.....</p> <p>Bacon Ready Mix, Inc. 1597 Bluff Road, Montebello.....</p> <p>Berlin Brothers Ready Mix Concrete 2457 North Ventura Avenue, Ventura.....</p> <p>Blacktop Materials Co. 9120 Norris Avenue, Sun Valley.....</p>		<p>19225 19220 19238 19455</p> <p>30041</p> <p>19207</p> <p>19334</p> <p>19453</p> <p>38</p> <p>19421</p> <p>56048</p> <p>19040</p>
<p>Change) * Addition) Decision</p>		<p>90 09 070</p>
EFFECTIVE		
Correction		<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>

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-Rix Concrete, Inc. 10732 South Rose Street, Stanton..... 11236 Western Avenue, Stanton.....	30034 30034
Chandler's Palos Verdes Sand & Gravel Co. 355 Walnut Street, Gardena (P. O.)..... 26311 Marbonne Avenue, Rolling Hills Estates..... 25701 South Crenshaw Boulevard, Torrance.....	19225 19248 19249
Claremont Transit Mixed Concrete Co. 925 East Marylind Avenue, Claremont.....	19329
Conejo Ready Mix, Inc. 13950 Los Angeles Avenue, Moorpark.....	56076
Conrock Co. Porphyry & Quarry Street, Corona..... 3200 San Fernando Road, Los Angeles..... Lawrence Canyon, 1/2 mile east of Mill Street, Oceanside..... Spruce Street, Riverside..... 32302 Pasco Adelanto, San Juan Capistrano..... 6115 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 Picò 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
** **	**

** Eliminated, Decision **90 09 070**

EFFECTIVE

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

Correction