

ALJ/BRS/dk

Decision 90-12-008

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 trans-)
portation 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
116
(Filed December 8, 1989)

O P I N I O N

San Jacinto Aggregates, Inc. (Petitioner) has filed to request a modification of Minimum Rate Tariff 17-A (MRT 17-A) and Southern California Production Area and Delivery Zone Directory No. 1 (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 in the Soboba Indian Reservation in Riverside County, to various areas in San Bernardino, Riverside, San Diego, Los Angeles, and Orange 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 now available from the Soboba Indian Reservation 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 this facility 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 Trucking Association, California Asphalt Plant Association, Department of Transportation of the State of California, and Southern California Rock Products Association. The filing of the application was noted in the Commission's Daily Transportation Calendar of December 15, 1989. There have been no protests or requests for hearing.

The attorney for the petitioner was informed that the new production area in Riverside County to the delivery zones in San Diego County cannot be determined due to the points being in a separate series of zones. An explanation was made and the petitioner agreed to not having the zone rates to San Diego County included in this petition.

The Transportation Division has recommended that the petition be granted.

Findings of Fact

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

2. Petitioner is applying to have its facility in Riverside County designated as a commercial production area and to establish zone rates on item 60 commodities from this production area to all zones in Riverside and San Bernardino Counties.

3. The petitioner agreed to the exclusion of the zone rates from the production facility in the Soboba Indian Reservation in Riverside County to San Diego County.

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

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

6. 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 and San Bernardino Counties.

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

O R D E R

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 6-V, attached, to become effective 30 days from today.

2. Southern California Production Area and Delivery Zone Directory 1 (Appendix A to D.69469, as amended) is further amended by incorporating Second Revised Page 185, and Second Revised Page 186, attached, to become effective 30 days after today.

3. In all other respects, D.80578 and D.69469, 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.

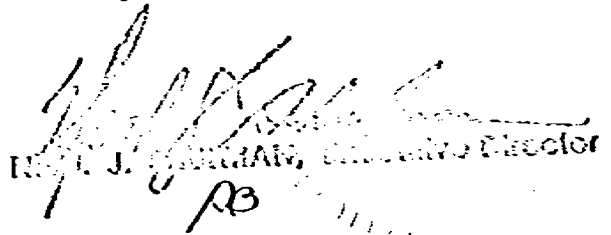
5. The petition is granted as set forth above.

This order is effective today.

Dated 12/06/90, at San Francisco, California.

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

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


JOHN B. CHANIAN, Executive Director
RB

SECTION 6 - ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

FROM RIVERSIDE COUNTY PRODUCTION AREA 33-V
TO THE DELIVERY ZONES SET FORTH BELOW

ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
33001 395	33051 389	33101 374	36042 546	36322 1100		
33002 377	33052 367	33102 390	36043 539	36323 1068		
33003 347	33053 351	33103 411	36044 565	36324 1034		
33004 351	33054 340	33104 204	36045 577	36325 1002		
33005 412	33055 226	33105 502	36046 594	36326 772		
33006 427	33056 238	33201 830	36047 591	36327 729		
33007 434	33057 249	33202 862	36048 599	36328 690		
33008 429	33058 265	33203 832	36049 591	36329 656		
33009 462	33059 283	33204 815	36050 573	36330 618		
33010 498	33060 316	33205 798	36051 570	36331 579		
33011 497	33061 323	33206 783	36052 539	36332 544		
33012 477	33062 352	33207 778	36053 532			
33013 457	33063 558	33208 759	36054 514			
33014 433	33064 575	33209 793	36055 521			
33015 417	33065 328	33210 802	36056 499			
33016 347	33066 309	33211 828	36057 487			
33017 285	33067 199	33212 841	36058 465			
33018 310	33068 165	33213 862	36059 459			
33019 331	33069 141	33214 885	36060 442			
33020 423	33070 155	36001 562	36071 446			
33021 436	33071 105	36002 521	36072 492			
33022 454	33072 187	36003 546	36073 422			
33023 482	33073 130	36004 547	36074 422			
33024 504	33074 229	36005 534	36075 450			
33025 485	33075 274	36006 517	36076 505			
33026 504	33076 293	36007 508	36077 503			
33027 521	33077 319	36008 514	36078 503			
33028 532	33078 356	36009 527	36079 524			
33029 551	33079 348	36010 550	36080 546			
33030 562	33080 328	36011 560	36301 575			
33031 562	33081 328	36012 580	36302 611			
33032 549	33082 295	36013 603	36303 648			
33033 476	33083 150	36014 624	36304 688			
33034 450	33084 206	36015 565	36305 733			
33035 428	33085 206	36016 556	36306 777			
33036 358	33086 269	36017 558	36307 811			
33037 334	33087 289	36018 570	36308 837			
33038 320	33088 304	36019 591	36309 854			
33039 296	33089 326	36020 583	36310 817			
33040 355	33090 326	36021 586	36311 806			
33041 354	33091 345	36022 564	36312 835			
33042 378	33092 343	36023 547	36313 870			
33043 402	33093 325	36024 530	36314 906			
33044 443	33094 346	36025 506	36315 939			
33045 444	33095 286	36026 501	36316 971			
33046 452	33096 265	36027 490	36317 1003			
33047 494	33097 393	36028 514	36318 1031			
33048 536	33098 372	36029 539	36319 1057			
33049 547	33099 356	36030 534	36320 1086			
33050 540	33100 377	36041 537	36321 1105			

EFFECTIVE - 01/05/91

CRANGE, DECISION 90-12-008

Correction

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

DIRECTORY 1

SECTION 4--RIVERSIDE COUNTY PRODUCTION AREAS AND DELIVERY ZONES (Continued)	
RIVERSIDE COUNTY PRODUCTION AREAS	AREA
Parcel 1 of Parcel Map No. 19354 in the county of Riverside, State of California, as shown on map filed in Book 129 of parcel maps, at Pages 73, 74, and 75, records of Riverside County.	33-U
<p>DESCRIPTION - PROPOSED RIVERSIDE COUNTY PRODUCTION AREA</p> <p>An area approximating 250 acres within the Soboba Indian Reservation starting at a point north of the San Jacinto River, with McDermott Road as the north boundary, thence extending southward across the said San Jacinto River to the south boundary of the Soboba Indian Reservation, thence extending eastward to a point where the said boundary bisects McDermott Road; thence a designated area along and within the entire lengths of the San Jacinto River and Indian Creek lying within the boundaries of the Soboba Indian Reservation.</p>	*33-V
* Addition, Decision 90-12-008	
EFFECTIVE 01/05/91	
<p>Correction</p> <p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>	

SECTION 4--RIVERSIDE COUNTY PRODUCTION AREAS
AND DELIVERY ZONES (Continued)

RIVERSIDE COUNTY DELIVERY ZONES	ZONE
Beginning at the intersection of fourteenth Street and Beaumont Avenue; northeily along Beaumont Avenue to Orchard Street; easterly along Orchard Street and its prolongation to the northerly prolongation of Hillside Avenue; southerly along and prolongation and Hillside Avenue to fourteenth Street; westerly along fourteenth Street to the point beginning.	33501
Beginning at the intersection of fourteenth Street and the northerly prolongation of Minnesota Avenue; north along said prolongation and Minnesota Avenue to Orchard Street; east along Orchard Street to Beaumont Avenue; south along Beaumont Avenue to fourteenth Street; west along fourteenth Street to the point of beginning.	33002
Beginning at the intersection of the westerly prolongation of Laird Road and the southerly prolongation of Minnesota Avenue; northerly along said prolongation, Minnesota Avenue and its northerly prolongation to fourteenth Street; easterly along fourteenth Street to Beaumont Avenue; southerly along Beaumont Avenue to Sixth Street; westerly along Sixth Street to California Avenue; southerly along California Avenue to the westerly prolongation of Laird Road; westerly along said prolongation to the point of beginning.	33003
Beginning at the intersection of the westerly prolongation of Laird Road and California Avenue; north along California Avenue to Sixth Street; east along Sixth Street to Beaumont Avenue; north along Beaumont Avenue to fourteenth Street; east along fourteenth Street to Highland Springs Avenue; south along Highland Springs Avenue to Laird Road; west along Laird Road and its prolongation of the point of beginning.	33304
Beginning at the intersection of La Cadena Drive and Main Street; easterly along Main Street to Mt. Vernon Avenue; southerly along Mt. Vernon Avenue to Pigeon Pass Road; easterly along Pigeon Pass Road to Serpentine Road; southwesterly and along Serpentine Road to Marlborough Avenue; westerly along Marlborough Avenue to Rustin Avenue; southerly along Rustin Avenue to Indianapolis Avenue; westerly along Indianapolis Avenue to Spruce Street; westerly along Spruce Street to La Cadena Drive; northeasterly along La Cadena Drive to the point of beginning.	33005
Beginning at the intersection of the west bank of the Santa Ana River and the San Bernardino County boundary; east along the San Bernardino County boundary to La Cadena Drive; southerly along La Cadena Drive to Russell Street; westerly along Russell Street to Main Street; northerly along Main Street to Oakley Avenue; westerly along Oakley Avenue to Fairmont Boulevard; southerly along Fairmont Boulevard to Crestmore Avenue; northwesterly along Crestmore Avenue to the west bank of the Santa Ana River; northwesterly along the west bank of the Santa Ana River to the point of beginning.	33006

No change on this page, Decision 90-12-008

EFFECTIVE 01/5/91

Correction

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SAN FRANCISCO, CALIFORNIA.