

Decision 91-12-033 December 18, 1991

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 113
filed July 21, 1989)

OPINION

Moreno Valley Sand & Gravel, Inc. (petitioner) requests a modification of Minimum Rate Tariff 17-A (MRT 17-A).

Petitioner is a California corporation in the business of producing, marketing, and distributing rock, sand, and gravel products by independent carriers, out of two facilities located in Riverside County, to destinations in Riverside and San Bernardino Counties. The two production facilities are the Morongo Plant, located just east of Hathaway Street on Morongo Road at the Morongo Indian Reservation, and the Moreno Plant, located at the northwest corner of the intersection of Gilman Springs Road and Jack Rabbit Trail. 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 petitioner's production facilities to points within the system of delivery zones established in MRT 17-A, and no production areas have been established for petitioner's production facilities. Petitioner desires to have zone rates established for Item 60 commodities from its production facilities to established delivery zones in Riverside and San Bernardino Counties. Petitioner alleges that

establishing zone rates from its facilities in Riverside County will enable petitioner to compete with other rock producers who already charge zone rates.

A copy of the application was served on Associated Independent Owner Operators, Inc., Beaumont Concrete, California Asphalt Pavement Association, California Carriers Association, Corona Rock, C. L. Pharris, Fontana Paving, Hemet Redi-Mix, Kennedy Land Co., Massey Rock and Sand, Matich Asphalt, Owl Rock Products, Quandt Materials, Robertson Ready Mix, San Jacinto Aggregates, Standard Ready Mix, and Caltrans. A copy of the amendment was served on Associated Independent Owner Operators, Inc., Beaumont Concrete, California Asphalt pavement Association, California Carriers Association, California Dump Truck Owners Association, California Trucking Association, Corona Rock, C. L. Pharris, Fontana Paving, Hemet Redi-Mix, J. M. Jenkins, Kennedy Land Co., Massey Rock and Sand, Matich Asphalt, Owl Rock Products, Quandt Materials, Robertson Ready Mix, San Jacinto Aggregates, Southern California Rock Products Association, Standard Ready Mix, and Caltrans. The filing of the application was noticed in the Commission's Daily Calendar of July 28, 1989. The filing of the amendment to the application was noticed in the Commission's Daily Transportation Calendar of July 1, 1991. There have been no protests or requests for hearing.

The Transportation Division has recommended that the application be granted.

Findings of Fact

1. Petitioner produces and sells rock, sand, and gravel products out of two facilities in Riverside County. Independent carriers haul the products to various points in Riverside and San Bernardino Counties.

2. Petitioner is applying to establish zone rates on Item 60 commodities from its production areas to established delivery zones in Riverside and San Bernardino Counties.

3. Petitioner is now operating in a marketplace where 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.

Conclusion of Law

MRT 17-A should be amended to extend zone rates for Item 60 commodities from petitioner's production areas to established delivery zones in Riverside and San Bernardino Counties.

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 Pages 6-X and 6-Y, and Third Revised Pages 185 and 186, attached, to become effective 30 days from today.

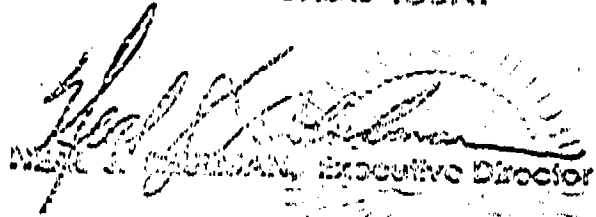
2. In all other respects, D.80578, as amended, shall remain in full force and effect.

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

4. The petitioner is granted as set forth above.
This order is effective today.
Dated December 18, 1991, at San Francisco, California.

PATRICIA M. ECKERT
President
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

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


Executive Director

SECTION 6 - ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

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

ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
33001 201	33051 437	33101 549	36032 392	36082 513		
33002 193	33052 417	33102 565	36033 356	36083 534		
33003 181	33053 401	33103 586	36034 340	36084 524		
33004 177	33054 403	33104 351	36035 344	36085 509		
33005 420	33055 444	33105 510	36036 360	36086 529		
33006 415	33056 475	33201 839	36037 397	36087 524		
33007 441	33057 497	33202 870	36038 409	36088 545		
33008 437	33058 480	33203 840	36039 446	36089 533		
33009 444	33059 453	33204 824	36040 473	36090 557		
33010 496	33060 425	33205 806	36041 500	36091 557		
33011 505	33061 424	33206 796	36042 506	36092 560		
33012 486	33062 453	33207 787	36043 489	36301 496		
33013 445	33063 566	33208 767	36044 472	36302 532		
33014 440	33064 583	33209 802	36045 449	36303 569		
33015 425	33065 437	33210 810	36046 428	36304 609		
33016 388	33066 478	33211 837	36047 424	36305 654		
33017 280	33067 439	33212 851	36048 433	36306 697		
33018 304	33068 420	33213 871	36049 481	36307 732		
33019 335	33069 397	33214 895	36050 483	36308 713		
33020 431	33070 410	36001 494	36051 466	36309 687		
33021 444	33071 447	36002 446	36052 464	36310 651		
33022 471	33072 443	36003 478	36053 481	36311 640		
33023 490	33073 435	36004 479	36054 500	36312 669		
33024 511	33074 459	36005 393	36055 484	36313 704		
33025 493	33075 502	36006 415	36056 462	36314 740		
33026 511	33076 482	36007 432	36057 450	36315 773		
33027 529	33077 459	36008 446	36058 424	36316 804		
33028 541	33078 496	36009 468	36059 401	36317 837		
33029 568	33079 489	36010 499	36060 374	36318 865		
33030 570	33080 491	36011 520	36061 360	36319 891		
33031 570	33081 491	36012 510	36062 342	36320 920		
33032 557	33082 523	36013 480	36063 339	36321 939		
33033 484	33083 489	36014 493	36064 301	36322 934		
33034 457	33084 470	36015 399	36065 275	36323 902		
33035 436	33085 470	36016 390	36066 264	36324 860		
33036 346	33086 515	36017 402	36067 259	36325 835		
33037 326	33087 535	36018 404	36068 295	36326 806		
33038 313	33088 516	36019 424	36069 260	36327 563		
33039 287	33089 501	36020 452	36070 247	36328 524		
33040 367	33090 501	36021 491	36071 254	36329 490		
33041 377	33091 521	36022 502	36072 332	36330 452		
33042 390	33092 517	36023 510	36073 400	36331 413		
33043 414	33093 537	36024 486	36074 409	36332 378		
33044 491	33094 555	36025 460	36075 449			
33045 452	33095 542	36026 432	36076 514			
33046 471	33096 494	36027 421	36077 512			
33047 502	33097 570	36028 404	36078 516			
33048 545	33098 550	36029 377	36079 503			
33049 556	33099 531	36030 367	36080 485			
33050 549	33100 551	36031 355	36081 499			

Change, Decision 91-12-033

EFFECTIVE January 17, 1992

Correction

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

SECTION 6 - ZONE RATES IN CENTS PER TON

COMMODITIES AS DESCRIBED IN ITEM 60

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

ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE	ZONE RATE
33001 196	33051 290	33101 285	36032 369	36082 438		
33002 188	33052 267	33102 300	36033 332	36083 456		
33003 158	33053 238	33103 316	36034 317	36084 442		
33004 172	33054 229	33104 95	36035 321	36085 420		
33005 277	33055 126	33105 367	36036 337	36086 401		
33006 271	33056 119	33201 695	36037 330	36087 380		
33007 298	33057 142	33202 726	36038 342	36088 412		
33008 293	33058 157	33203 696	36039 351	36089 436		
33009 306	33059 171	33204 680	36040 376	36090 477		
33010 353	33060 194	33205 662	36041 401	36091 479		
33011 361	33061 223	33206 653	36042 410	36092 475		
33012 342	33062 252	33207 643	36043 404	36301 439		
33013 321	33063 423	33208 624	36044 430	36302 475		
33014 297	33064 439	33209 658	36045 425	36303 513		
33015 281	33065 208	33210 666	36046 405	36304 553		
33016 245	33066 190	33211 694	36047 401	36305 597		
33017 136	33067 142	33212 706	36048 410	36306 641		
33018 161	33068 158	33213 726	36049 456	36307 675		
33019 191	33069 141	33214 750	36050 438	36308 690		
33020 287	33070 155	36001 427	36051 435	36309 664		
33021 301	33071 191	36002 386	36052 404	36310 627		
33022 328	33072 187	36003 410	36053 397	36311 617		
33023 346	33073 180	36004 412	36054 379	36312 646		
33024 368	33074 171	36005 370	36055 385	36313 681		
33025 349	33075 175	36006 383	36056 363	36314 716		
33026 368	33076 184	36007 372	36057 352	36315 750		
33027 385	33077 205	36008 379	36058 329	36316 781		
33028 397	33078 256	36009 391	36059 323	36317 814		
33029 425	33079 249	36010 414	36060 306	36318 841		
33030 426	33080 239	36011 424	36061 335	36319 868		
33031 426	33081 202	36012 445	36062 319	36320 897		
33032 413	33082 196	36013 457	36063 316	36321 916		
33033 341	33083 233	36014 470	36064 278	36322 911		
33034 314	33084 214	36015 376	36065 252	36323 879		
33035 293	33085 214	36016 367	36066 241	36324 845		
33036 203	33086 254	36017 379	36067 236	36325 812		
33037 182	33087 235	36018 381	36068 262	36326 583		
33038 169	33088 215	36019 401	36069 237	36327 540		
33039 144	33089 223	36020 429	36070 224	36328 501		
33040 224	33090 236	36021 431	36071 230	36329 467		
33041 233	33091 256	36022 428	36072 329	36330 429		
33042 246	33092 253	36023 411	36073 287	36331 390		
33043 270	33093 236	36024 395	36074 287	36332 355		
33044 343	33094 257	36025 370	36075 314			
33045 308	33095 270	36026 365	36076 371			
33046 327	33096 239	36027 354	36077 368			
33047 358	33097 297	36028 378	36078 372			
33048 401	33098 285	36029 354	36079 389			
33049 412	33099 266	36030 344	36080 412			
33050 405	33100 287	36031 332	36081 428			

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

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

RIVERSIDE COUNTY PRODUCTION AREAS	AREA
<p>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.</p>	33-U
<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
<p>Beginning at the northwest corner of Section 2, Township 3 South, Range 1 East of San Bernardino Base Meridian, thence along the easterly prolongation of Morongo Road to Garcia Road, thence southeasterly along Garcia Road to Serano Road, thence easterly to Serano Road to the intersection of Serano Road and the southerly prolongation of Cottonwood Road, thence along the southerly prolongation of Cottonwood Road to the Southern California Edison Company pole line, thence westerly along said Southern California Edison Company pole line to the easterly boundary of the City of Banning, thence northerly along the easterly boundary of the City of Banning to the northwest corner of Section 2.</p>	*33-X
<p>Beginning at the intersection of Gilman Springs Road and Jackrabbit Trail, thence westerly along Gilman Springs Road approximately 300 feet, thence northerly along a line to its intersection with the southwest corner of the southwest one-quarter of Section 14, Township 3 South, Range 2 West, San Bernardino Base and Meridian, thence northerly along the westerly line of said southwest one-quarter of Section 14 to the northwest corner of said southwest one-quarter of Section 14, thence easterly along the northerly line of said southwest one-quarter of Section 14 to the northeast corner of said southwest one-quarter of Section 14, thence southerly along the easterly line of said southwest one-quarter of Section 14, to the southeast corner of said southwesterly one-quarter of Section 14, thence easterly along the southerly line of said southwest one-quarter of Section 14, to its intersection with Jackrabbit Trail, thence southerly along Jackrabbit Trail to Gilman Springs Road, the point of beginning.</p>	*33-Y

* Addition, Decision 91-12-033

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 SAN FRANCISCO, CALIFORNIA.

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

RIVERSIDE COUNTY DELIVERY ZONES	ZONE
<p>Beginning at the intersection of Fourteenth Street and Beaumont Avenue; northerly 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 of beginning.</p>	33001
<p>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.</p>	33002
<p>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.</p>	33003
<p>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.</p>	33004
<p>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.</p>	33005
<p>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.</p>	33006

No change on this page, Decision 91-12-033

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