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APR - 6 1982

ORIGINAL

Decision

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, and the revisions or reissues thereof.

Case 9819  
Petition for Modification 48  
(Filed May 14, 1981)

Petitioners P. W. Gillibrand Co. (Gillibrand) and Curtis

Construction Co. (Curtis), dba Curtis Sand and Gravel, request the modification of Minimum Rate Tariff 17-A (MRT 17-A) by adding a recently opened portion of Interstate Highway 210 (IH-210) to the basic time and distance traverse maps on which MRT 17-A rates are predicated; and for revision of the rates in MRT 17-A as the result of such traverse map additions. A copy of the petition was served on five trucking associations having members who perform dump truck operations in the involved area and two business associations whose members either produce or use rock products. No protests to the petition were received.

MRT 17-A names certain minimum rates for the transportation by dump truck carriers of certain commodities including rock, sand, and gravel. The tariff contains zone rates which apply from defined production areas to designated delivery zones via a network of routes over most legally traversable highways in the Southern California areas in which the rates apply.

The distances were measured by the observer and recorded on calibrated odometer. The observer and recorder was provided by Canyon Trucking Co. a 1977 GMC with a Cummins 350-horsepower engine. The

driver was Roger Raffeld. The truck had a payload of 25,222 tons of crushed rock. The tare weight was 14,078 tons. The truck and its transfer trailer unit was the driver of an overloaded A-71 TRM of

Gillibrand and Curtis request that the new segments of IH-210 be added to the MRT 17-A time and distance maps; that the staff develop zone entry times from IH-210 to adjacent zones; and that, in these additions be reflected in the MRT 17-A rock and sand zone rates, using the same cost and rate formulas applicable to other rates in the same tariff and areas. They stated that, although the additions proposed are small in time and distance and few in number, the opening of IH-210 to through traffic will have much broader effects. A staff member of the Commission's Transportation Division Freight Economics Branch ran time and distance traverses on the newly opened section of IH-210 as well as segments of the local streets it affected. The staff's data collected from the traverses verified the data submitted by petitioners (Exhibit 1). Use of the newly opened section of the highway will save 16.6 miles. A 14-minute savings in travel time will also result in using the four-lane limited-access highway instead of the city streets. A shortening of operating time and distance via the new route will result in lesser rates than via the Golden State Freeway.

F I N D I N G S

Findings of Fact

1. MRT 17-A names minimum rates for the transportation by dump truck carriers of certain commodities including rock, sand, and gravel via a network of routes over most legally traversable highways in Southern California.

2. A 26-mile portion of IH-210 connects the Ventura Freeway in Pasadena and the Golden State Freeway above San Fernando.

3. Very recently, a 5-mile portion of IH-210 has been completed and opened to traffic.

4. Present MRT 17-A time and distance traverse maps on which MRT 17-A rates are predicated do not include this newly opened portion of IH-210.

*CORRECTION*

# CORRECTION

THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY

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Decision 8204049

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Minimum Rate Tariff 17-A

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Construction Co. (Curtis), dba Curtis Sand and Gravel, request the modification of Minimum Rate Tariff 17-A (MRT 17-A) by adding a recently opened portion of Interstate Highway 210 (IH-210) to the basic time and distance traverse maps on which MRT 17-A rates are predicated; and for revision of the rates in MRT 17-A as the result of such traverse map additions. A copy of the petition was served on five trucking associations having members who perform dump truck operations in the involved area and two business associations whose members either produce or use rock products. No protests to the petition were received.

MRT 17-A names certain minimum rates for the transportation by dump truck carriers of certain commodities including rock, sand, and gravel. The tariff contains zone rates which apply from defined production areas to designated delivery zones via a network of routes over most legally traversable highways in the Southern California areas in which the rates apply.

The distances were measured by the observer in a car when the distances were measured by the observer and recorded was determined. The truck was provided by Canyon Trucking Co., a 1977 GMC with a Cummins 350-horsepower engine.

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Gillibrand presently produces rock, sand, and aggregates. It has plants in Simi Valley and Soledad, located in Production 56-0 and 19-KK, respectively. It ships in excess of 75,000 tons of these materials per month, all of it by for-hire dump-truck carriers, at rates established in MRT 17-A. Its production is shipped to destinations predominately located in the greater Los Angeles Basin area.

Curtis presently produces rock, sand, and aggregates from two plants in canyon country located in Production Areas 19-LL and 19-MM. It ships in excess of 25,000 tons of these materials per month, all of them by for-hire dump trucks, at rates established in MRT 17-A. Its production is shipped to destinations predominately located in the greater Los Angeles Basin area.

Rates contained in MRT 17-A are used extensively by Gillibrand and Curtis.

The petition shows that a 26-mile portion of IH-210 connects the Ventura Freeway in Pasadena and the Golden State Freeway above San Fernando and provides an alternate and, in many cases involving through traffic, a shorter and faster route than the Golden State Freeway. It also permits a more economical route to points along its way. Very recently a 5-mile portion of IH-210 between Sunland Boulevard and State Route 118 (near Paxton Street) has been completed and opened, thus permitting through traffic in both directions. Economies in transportation service result, which should be reflected in transportation rates, particularly those in MRT 17-A.

Attached to the petition is a record of the time and distance traverses caused to be run by petitioners along the newly opened segments of IH-210. Because traffic along this route moves in both directions, loaded and empty runs were made in both directions. The direction of movement made no difference in the traverse times. The distances were measured by the observer in a car with a calibrated odometer. The observer and recorder was petitioner's consultant, E. O. Blackman. The truck was provided by Canyon Trucking Co., a 1977 GMC with a Cummins 350-horsepower engine. The

driver was Roger Raffeld. The truck had a payload of 25.22 tons of crushed rock. The tare weight was 14,778 tons. It was a truck and a transfer trailer unit.

Gillibrand and Curtis request that the new segments of I-210 be added to the MRT 17-A time and distance maps that the staff develop zone entry times from I-210 to adjacent zones; and that all these additions be reflected in the MRT 17-A rock and sand zone rates, using the same cost and rate formulas applicable to other rates in the same tariff and areas. They state that, although the additions proposed are small in time and distance and few in number, the opening of I-210 to through traffic will have much broader effects.

A staff member of the Commission's Transportation Division Freight Economics Branch ran time and distance traverses on the newly opened section of I-210 as well as segments of the local streets affected. The staff's data collected from the traverses verified the data submitted by petitioners (Exhibit 1). Use of the newly opened section of the highway will save 12.6 miles and a 14-minute savings in travel time will also result in using the four-lane limited-access highway instead of the city streets. A shortening of operating time and distance via the new route will result in lesser rates than via the Golden State Freeway.

F E C E O

Findings of Fact

1. MRT 17-A names minimum rates for the transportation by dump truck carriers of certain commodities including rock, sand, and gravel via a network of routes over most legally traversable highways in Southern California.

2. A 26-mile portion of I-210 connects the Ventura Freeway in Pasadena and the Golden State Freeway above San Fernando.

3. Very recently, a 5-mile portion of I-210 has been completed and opened to traffic.

4. Present MRT 17-A time and distance traverse maps on which MRT 17-A rates are predicated do not include this newly opened portion of I-210.

Process  
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5. Petitioners request that the newly opened portion of IH-210 be included on the MRT 17-A time and distance maps and that the rates in MRT 17-A be revised as the result of the proposed revision of the time and distance traverses.

6. Use of the newly opened segment of IH-210 will reduce time in transit by approximately 14 minutes and reduce mileage by approximately 1.6 miles as compared to operations over the Golden State Freeway.

7. The staff has verified petitioner's allegations and recommends that the petition be granted.

8. The reduced time and distance will result in rate and cost reductions as compared to operating over the Golden State Freeway.

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

10. A public hearing is not necessary.

11. The effective date of this order should be made the date of signature because there is an immediate need for this rate relief.

Conclusion of Law

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

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (Appendix C of Decision (D.) 80578, as amended) is further amended by incorporating Tenth Revised Page 4-KK, Tenth Revised Page 4-KK-1, Ninth Revised Page 4-LL, Ninth Revised Page 4-LL-1, Ninth Revised Page 4-MM, Ninth Revised Page 4-MM-1, Third Revised Page 9-O-1, and Tenth Revised Page 9-P to become effective April 11, 1982. For purposes of tariff distribution the changes authorized by this order are combined with the tariff pages of Appendix A of the decision issued concurrently in Case 9819, Petition for Modification 50.

7. The Executive Director shall serve a copy of the tariff amendments on each subscriber to MRT 17-A.

This order is effective today.

Dated APR 6 1982, at San Francisco, California.

JOHN E. BRYSON  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. CREW  
Commissioners

... of Public Utilities Code § 461.2 to the extent necessary ... and short-term ...

**IT IS CERTAINLY THAT THIS DECISION WAS APPROVED BY THE ABOVE COMMISSIONERS**

*Joseph E. Bodovitz*  
Joseph E. Bodovitz, Executive Director

The Executive Director shall serve a copy of this decision on every common carrier, or such carrier, authorized tariff publishing agents, performing transportation services subject to MRT



2. Common carriers subject to the Public Utilities Act, to the extent that they are also subject to D.80578, as amended, are directed to establish in their tariffs the rates and routes necessary to conform with the further revisions ordered by this decision.

3. Tariff publications required to be made by common carriers as a result of this order shall be filed on not less than 5 days notice to the Commission and to the public if filed not later than 60 days after the effective date of the minimum rate tariff pages incorporated in this order.

4. Common carriers, in establishing and maintaining the rates authorized by this order, are authorized to depart from the provisions of Public Utilities Code § 461.5 to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

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

6. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to MRT 17-A.