

*Oro Grande Cement
4/50*

A.83-01-56 T/PNK/SR/WPSC *

The proposed monthly tonnage is 20,000 tons, plus or minus 15%, with a yearly estimate of 240,000 tons.

Applicant advises that the shipper will provide a front-end loader with an operator for loading cement clinker. Limestone will be loaded by use of a front-end loader, furnished and used without expense to applicant, or by applicant's vehicle driving under a hopper with a clam feeder, which is operated by the driver pulling a handle. Unloading will be performed by applicant's vehicle driving over a hopper, or by direct rolling discharge onto the ground, or on a drive-on stock pile.

Loading and unloading facilities are available at least five days a week, 24 hours a day. Applicant proposes to operate two shifts daily, five days a week, each vehicle transporting 84 tons per shift. It is estimated that six vehicles will be required to transport the required amount of material.

Applicant states that a certified scale will be maintained by shipper at Oro Grande for use by applicant. Applicant will have each of its drivers certified as a weighmaster to eliminate unnecessary delays in the weighing process.

Applicant declares that for standby and delay time, there will be allowances of 25 minutes for loading and 15 minutes for unloading. When the combination of the two time allowances has been exceeded for any given vehicle on any trip, applicant shall be paid \$17.50 per hour, or portion of an hour.

Appendix B, attached to the application, sets out in detail applicant's costs of operation. It reflects an estimated operating ratio of 75% for the transportation.

Applicant states that it will not engage underlying carriers (subhaulers) to perform this service.

Applicant will bill shipper on the 1st and 15th day of each month for the tons transported. Shipper will process the bills for payment within seven days of receipt and will normally pay the bills within 14 days of processing. Applicant states that this procedure will greatly enhance its cash flow.

Attached to the application is a signed contract between carrier and shipper which gives in detail the rates, loading and unloading provisions and other pertinent facts for this transportation.

The application was listed on the Commission's Daily Calendar of January 31, 1983. No objection to the granting of the application has been received.

The proposal is not a major action significantly affecting energy efficiency within the meaning of Public Utilities Code (PU) Sections 3502.1 and 3502.2.

Since there is an immediate need for the rate relief, the following order should be made effective on the date it is signed.

Findings of Fact

1. Applicant is authorized to operate as a dump truck carrier.
2. Applicant requests authority to deviate from the minimum rates in MKT 7-A for the transportation of cement clinker and crushed limestone from Riverside Cement Company's cement plant at Oro Grande to the materials yard at its Crestmore cement plant.
3. The current MKT 7-A rate for the transportation of cement clinker is \$4.85 per ton and for crushed limestone is \$5.49 per ton.
4. Applicant proposes to assess a rate of \$3.99 per ton with minimum weight of 28 tons for both cement clinker and crushed limestone.
5. The loading and unloading of cement clinker and crushed limestone will be by mechanical means with minimum assistance of driver.
6. Loading and unloading facilities are available five days a week, 24 hours a day.
7. Applicant proposes to operate two shifts a day, five days a week.
8. A certified scale will be maintained by shipper at Oro Grande facility for use by applicant.
9. Applicant's proposed costs of operation are reasonable.

10. An estimated operating ratio of 75% will result for the proposed transportation.
11. Applicant's transportation involves unique circumstances.
12. The proposed rates are reasonable.
13. Shipper supports the application.
14. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.
15. A public hearing is not necessary.

Conclusions of Law

1. The application should be granted.
2. This order should be made effective on the date signed because there is an immediate need for rate relief.

O R D E R

IT IS ORDERED that:

1. Dalton Trucking, Inc., a California corporation, may depart from the rates in Minimum Rate Tariff 7-A by charging not less than the rates in Appendix A.

A.83-01-56 T/PNK/SR/WPSC

2. This authority shall expire one year after the effective date of this order.

This order is effective today.

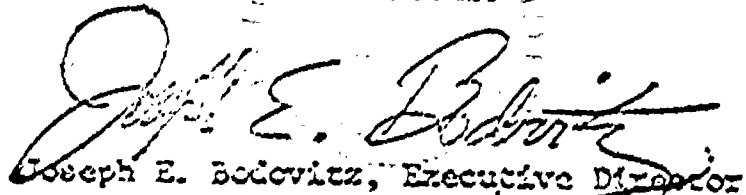
Dated APR 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
DONALD VIAL
Commissioners

Commissioner Priscilla C. Grow, being necessarily absent, did not participate in the disposition of this proceeding.

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


Joseph E. Bodovitz, Executive Director

APPENDIX A

Carrier: Dalton Trucking, Inc.
Commodities: Cement clinker and crushed limestone
Rate: \$3.99 per ton
Minimum Weight: 28 tons
From: Riverside Cement Company, Oro Grande
To: Riverside Cement Company, Crestmore

Conditions:

1. Standby and delay time of 25 minutes for loading and 15 minutes for unloading shall be allowed. When the combination of the two allowances has been exceeded for any given vehicle or any trip, carrier shall be paid \$17.50 per hour or portion thereof.
2. Carrier shall bill Riverside Cement Company on the 1st and 15th day of each month for the tons transported. Riverside Cement Company shall process the invoices within seven days of receipt for payment and will pay the invoices within 14 days of processing. Carrier has indicated that subhaulers will not be engaged.
3. Therefore, if subhaulers are employed, they shall be paid not less than the rate authorized without any deduction for use of carrier's trailing equipment.
4. In all other respects, the rates and rules in Minimum Rate Tariff 7-A shall apply.

(END OF APPENDIX A)