

ORIGINAL

Decision No. 88178 NOV 29 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga-)
tion for the purpose of consid-)
ering 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 there-)
of.)

Case No. 9819
Petition for Modification
No. 24
(Filed August 18, 1977)
Petition for Modification
No. 25
(Filed September 7, 1977)

OPINION AND ORDER

Minimum Rate Tariff 17-A (MRT 17-A) names minimum rates for the transportation by dump truck carriers of certain commodities, including asphaltic concrete. These rates include zone rates which apply from defined production areas to designated delivery zones, which are described in Southern California Production Area and Delivery Zone Directory 1 (Directory 1).

By Petitions 24 and 25, California Dump Truck Owners Association (CDTOA), seeks the establishment of the system of zone rates for the transportation of asphaltic concrete from San Bernardino County Production Areas 36-M and 36-Q to various Los Angeles, Orange, Riverside and San Bernardino County delivery zones.¹

¹These rates would apply from Production Area 36-M to Delivery Zones 19364-19469 inclusive, 19600-19610 incl., 19700-19707 incl., 30001-30118 incl., 33001-33104 incl., 36001-36092 incl., and 36301-36332 incl. From Production Area 36-Q the rates would apply to Delivery Zones 19192, 19193, 19205-19208 incl., 19222, 19230, 19249, 19309, 19310, 19319-19452 incl., 30001-30118 incl., 33001-33104 incl., 36001-36092 incl., and 36301-36332 incl.

PTO-27

In Petition 24, CDTOA states that Huntmix, a California corporation, has recently purchased an asphaltic concrete plant formerly operated by Mattich Co. located at 2006 North Campus, Upland. Huntmix, by reason of acquiring the asphaltic concrete plants of Griffith Co. in southern California, has become a very substantial producer and shipper of this commodity and desires to have these rates established from Production Area 36-M.

CDTOA, in Petition 25, declares that an asphaltic concrete plant located at 8888 Calabash, Fontana, has recently been purchased by Industrial Asphalt, a California corporation. Industrial Asphalt is the largest producer and shipper of this commodity in southern California. The subject plant is located in Production Area 36-Q and Industrial Asphalt desires that rates on asphaltic concrete be established from this production area.

Petitioner requests that asphaltic concrete zone rates be predicated from Production Areas 36-M and 36-Q on the same basis as existing for other asphaltic concrete zones in MRT 17-A.

Establishment of the sought zone rates would provide rates for the involved transportation which are the same in kind and character as the zone rates in MRT 17-A that apply from numerous other production areas to delivery zones in and about the San Bernardino area and nearby areas. The round-trip times, one-way distances, costs, and resulting zone rates have been prepared by the Transportation Division based upon the formula and procedures which have been found reasonable in establishing existing zone rates. The computer printout of those data are included in the printout in connection with Petition 23. This was done in order to avoid unnecessary tariff distribution and mailing costs.

Petitioner asserts that the addition of the sought delivery zones for application of asphaltic concrete zone rates from Production Areas 36-M and 36-Q is a noncontroversial matter. It requests that the petitions be granted ex parte. The staff supports that request.

Copies of the petitions were served on known interested organizations on or about August 17 and September 6, 1977. The petitions were listed on the Commission's Daily Calendars of August 22 and September 8, 1977. No objection to the granting of the petitions has been received.

In the circumstances, the Commission finds that the establishment of zone rates from San Bernardino Production Areas 36-M and 36-Q as hereinafter provided will result in just, reasonable and nondiscriminatory minimum rates for the transportation involved. A public hearing is not necessary. The Commission concludes that the petitions should be granted to the extent provided in the following order.

Minor changes, amending the alternative application of common carrier rates by land and the addition of Rancho Ready Mix at Colton to the List of Delivery Points in MRT 17-A and a correction of Orange County Production Area 30-T description in Directory 1, not related to the subject matters of these petitions will be made in the tariff pages herein being revised.

Minimum Rate Tariff 17-A and Directory 1 should be amended by separate orders to be issued by the Executive Director of the Commission as hereinafter provided.

IT IS ORDERED that:

1. The revisions of Minimum Rate Tariff 17-A and Southern California Production Area and Delivery Zone Directory 1 adopted herein shall become effective thirty-nine days after the effective date of this order.
2. The tariff revisions referred to in the preceding ordering paragraph shall be distributed by separate orders issued by the Executive Director of the Commission in accordance with procedures hereinbefore adopted for the promulgation of similar routine orders of the Commission.

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The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 29th day of NOVEMBER, 1977.

I obtain
Clare J. DeRial

Robert Batyianch

President
William G. Gausoff

Vernon L. Stetson

Charles D. Gork

Commissioners