

Decision No. 89837 : JAN 4 1979

ORIGINAL

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 construc-)
tive mileages between points)
within California as provided in)
the Distance Table and the re-)
visions or reissues thereof in)
connection with the transporta-)
tion of any and all commodities.)

Case No. 7024
Petition for Modification
No. 37
(Filed July 17, 1978)

SUPPLEMENTAL OPINION AND ORDER

By the above petition California Trucking Association (CTA) seeks to have the Commission incorporate the Antioch Bridge toll charges into Distance Table 8 by adjusting the constructive mileage for traffic utilizing the Antioch Bridge.

CTA submitted two alternative proposals for the Commission to consider. The first alternative would provide for an arbitrary of 20 constructive miles when shipments are transported across the Antioch Bridge. The second alternative requests the Commission to recalculate affected constructive mileages.

A letter from Amstar Corporation, Spreckels Sugar Division (Amstar), received by the Commission on August 17, 1978 objected to the addition of the 20 constructive mileage distance over the Antioch Bridge to reflect the tolls as being excessive. A letter from Amstar received by the Commission on September 20, 1978 indicates that, after Amstar's consultation with a representative of CTA, Amstar would not object to the addition of 11 constructive miles for shipments over the Antioch Bridge.

After a study of the factors involved, the Commission staff determined that an additional mileage figure of 10 miles would cover the new bridge toll. The CTA has concurred with the 10 miles figure. The ensuing order will be made effective on the date hereof as there is an immediate need for corrective action.

The petition was listed on the Commission's Daily Calendar of July 20, 1978. No other objection to the granting of the petition has been received.

In the circumstances, the Commission finds that:

1. The constructive mileage requested in petitioner's proposal, as modified by the staff, is reasonable and justified.

2. The proposed revision of Distance Table 8, when applied in conjunction with minimum rate tariffs subject thereto, will result in just, reasonable and nondiscriminatory minimum rates for transportation governed by said tariffs.

3. To the extent that the provisions of Distance Table 8 heretofore have been found to constitute reasonable rules and distances for common carriers as defined in the Public Utilities Code, the provisions of said distance table as hereinafter modified are, and will be, reasonable provisions for said carriers.

4. To this same extent, existing rules and distances which are maintained by said common carriers for transportation within California are and, for the future, will be unreasonable, insufficient and not justified by the actual competitive rates of competing carriers or by the cost of other means of transportation insofar as they are lower in volume or effect than those set forth in Distance Table 8, as hereinafter modified.

5. A public hearing is not necessary.

The Commission concludes that the petition, as amended by the staff, should be granted.

IT IS ORDERED that:

1. Distance Table 8 (Decision 84332, as amended) is further amended by incorporating therein, to become effective twenty-five days after the effective date hereof, Supplement 1, attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision 84332, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustment ordered by this decision.

3. Tariff publications required to be made by common carriers as a result of this order may be made effective not earlier than twenty-five days after the date hereof and may be made effective on not less than five days' notice to the Commission and to the public; as to tariff publications which are authorized, but not required, the authority shall expire unless exercised within sixty days after the effective date of this order.

4. Common carriers, in establishing and maintaining the amendments authorized by this order, are authorized to depart from the provisions of Section 461.5 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the amendment 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, Decision 84332, 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 Distance Table 8.

7. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Distance Table 8.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 4th day
of JANUARY, 1979.

Robert K. ...
President
...
...

Commissioners

SUPPLEMENT 1

(Supplement 1 Contains All Changes)

To

DISTANCE TABLE 8

Containing

Rules and

Constructive Mileage Tables

for the Determination of

Constructive Mileages

Between

Points Within the State of California

Decision No.

89837 1

EFFECTIVE JAN 29 1979

Issued by the
Public Utilities Commission of the State of California
State Building, Civic Center
San Francisco, California 94102

PART 1

§0 EXCEPTION TO RULES 3, 4, and 5

When the distance determined between two points is via a route traversing the Antioch Bridge (State Sign Routes 84 and 160), add to the miles determined in accordance with Rules 3, 4 or 5 of this Distance Table ten (10) constructive miles.

Where there are two or more routes between points, one or more routes being via the Antioch Bridge, the shortest resulting mileage via any of the routes computed in accordance with the method provided in the Distance Table, subject to the above Exception, shall be the applicable constructive mileage between said points.

o Change)
o Increase) Decision No.

89837

For Explanation of Abbreviations, References or Symbols See Pages 6-9 of Distance Table U.

THE END