

Decision No. 89838 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. 38
(Filed November 1, 1978)

INTERIM OPINION AND ORDER

By the above petition, California Trucking Association (CTA) seeks to have the Commission incorporate a newly constructed highway segment between Auburn and Foresthill and highway segments between Johnsondale and Holey Meadows, Holey Meadows and Quaking Aspen, and Holey Meadows and California Hot Springs into Distance Table 8.

CTA submitted proposed mileages for the involved segments, but in addition recognized that the Commission utilized a formula for the translation of actual highway miles into constructive miles. CTA further stated that it believes that such formula is applicable to the situation presented in the above petition and that application of such formula will permit the establishment of reasonable constructive miles.

As a result, the Commission staff (staff) made a study of the highway segments between Auburn and Foresthill and have determined new constructive mileages for these segments. The staff members traversed each of the affected routes in this area in order to evaluate the constructive and actual mileages of the various alternate routes.

In its study, the staff identified two new network points. These points are:

1. The junction of Interstate 80 and New Auburn-Foresthill Road, and
2. The junction of New Auburn-Foresthill Road and Old Auburn-Foresthill Road.

It should also be noted that the staff's current evaluation of Old Auburn-Foresthill Road indicates that, as a result of reduced speed limits, the old road between Auburn and Foresthill would be thirty (30) constructive miles. This would represent an increase of two (2) constructive miles over the current mileage in Distance Table 8. The newer route while being only 1.46 miles shorter would reduce the constructive miles between Auburn and Foresthill by four (4) constructive miles. The net effect is a reduction of two (2) constructive miles between Auburn and Foresthill.

The staff also determined that the roads in the vicinity of Quaking Aspen and Johnsondale in Tulare County are currently affected by snow conditions and such conditions would make it difficult to make a study at this time. When weather conditions permit, the staff plans to continue its study of the Quaking Aspen-Johnsondale area and to determine the appropriate constructive mileages.

The petition was listed on the Commission's Daily Calendar of November 3, 1978. A letter expressing interest in the matter was received from California Manufacturers Association, but no 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 just and reasonable.
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 just and 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, just and 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 are 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 modified 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 thirty-nine days after the date hereof, Supplement 2, 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 thirty-nine 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 the tariff amendment on each subscriber to Distance Table 8.

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

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

Roluit Raturani
President
Richard W. ...
Clara T. ...

Commissioners

SUPPLEMENT 2

(Supplements 1 and 2 Contain 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.

89838 :

EFFECTIVE FEB 12 1978

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

PART I

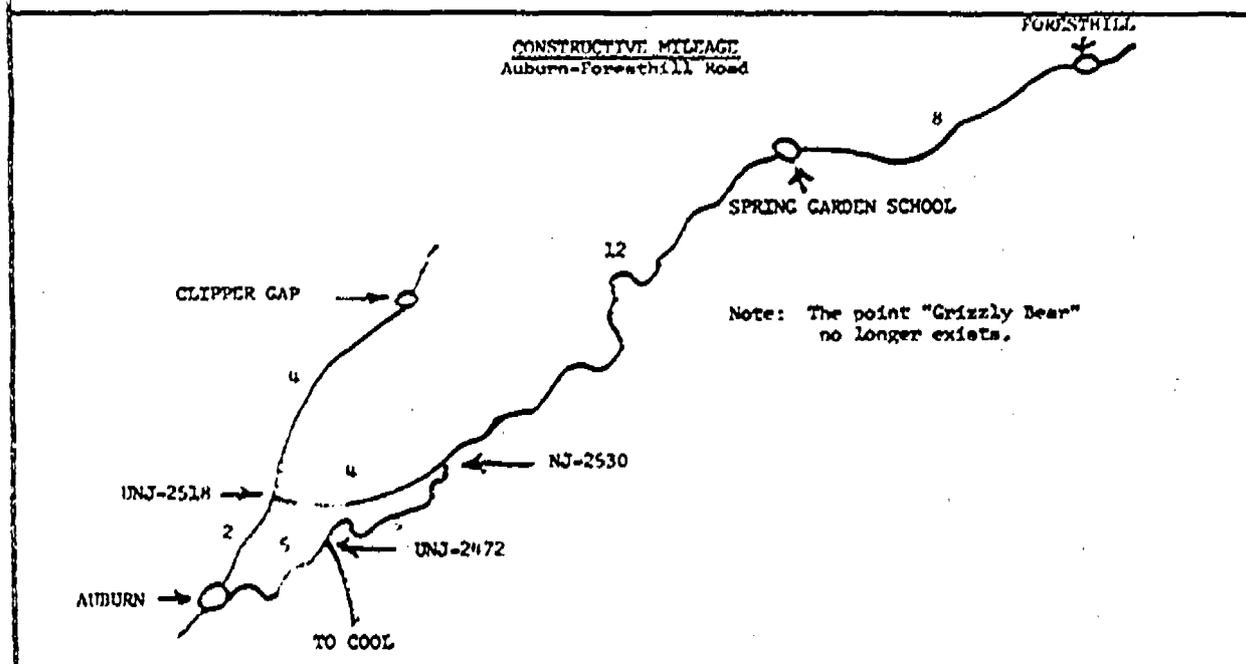
*Constructive mileage distances between the locations specified below are, and for the future will be, as shown below, and these mileage distances shall be used as bases in determining the constructive mileage distances from and to Auburn, Foresthill, Spring Garden School, Junctions 2472, 2518, 2530, Specific Red and Black Points and Junction Numbers as the case may be, and from and to points beyond when these segments are part of the least mileage route.

And Between	Auburn	*Junction 2518	*Junction 2530	Spring Garden School	Foresthill
Junction 2472	5	7	5	017	025
*Junction 2518	2	-	-	-	-
*Junction 2530	6	4	-	-	-
Spring Garden School	018	16	12	-	-
Foresthill	026	24	20	08	-

PART 2

BOOK OF MAPS

CORRECTION TO MAPS 2 AND 3



* Addition)
o Increase) Decision No.
o Reduction)

89838

For Explanation of Abbreviations, References or Symbols, See Pages 6 Thru 9 of Distance Table 8.

THE END