

PNK/MH

Decision No. 90131 ; MAR 27 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 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. 35
(Filed February 8, 1979)

OPINION AND ORDER

Minimum Rate Tariff 17-A (MRT 17-A) names minimum rates for the transportation of asphaltic concrete, rock, sand, gravel, slag and decomposed granite by highway carriers in dump truck equipment. These rates include area-to-point rates in Section 3 which apply from defined production areas to specified delivery points for the transportation of rock, sand and gravel. Such rates are three cents per ton less than the otherwise applicable zone rates.

By this petition, Huntmix, Inc. requests that its plant located at 1380 Arrow Highway, Irwindale, be designated as a delivery point for shipments of rock products subject to the lower MRT 17-A area-to-point rates. Petitioner also seeks to modify the List of Delivery Points in MRT 17-A by inserting its name for that of Griffith Company at 1601 Alameda Street, Wilmington as they have acquired this plant site from Griffith Company.

Petitioner declares, in its petition, that the facilities at its Irwindale plant are comparable to the facilities of other delivery points listed in Section 3 of MRT 17-A; that the plant meets the criteria previously established as a basis for area-to-point rates by Decision 57675 of December 2, 1958 in Case 5437 and reaffirmed in many later decisions by the Commission.

A staff field survey has determined that the petitioner's plants conform to the delivery criteria established by Decision 57675. The staff investigation discloses that the Irwindale facilities are located in Delivery Zone 19348 and not in Delivery Zone 19337 as stated in the petition.

Copies of the petition were served on various known carriers and shipper organizations and other parties on or about February 6, 1979. The petition was listed on the Commission's Daily Calendar of February 16, 1979. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that the establishment of an additional delivery point 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 petition should be granted as indicated in the ensuing order.

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (Appendix C of Decision 80578, as amended) is further amended by incorporating therein to become effective thirty-nine days after the date hereof, Fifth Revised Page 3-3 and Fifth Revised Page 3-4, 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 to Decision 80578, as amended, are authorized to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

3. Tariff publications authorized 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 if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

4. Common carriers in establishing and maintaining the amendments authorized hereinabove, are hereby 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 amendments published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

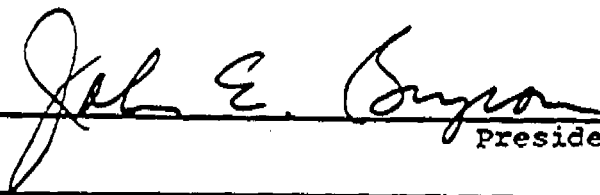
5. In all other respects Decision 80578, as amended, shall remain in full force and effect.

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 Minimum Rate Tariff 17-A.

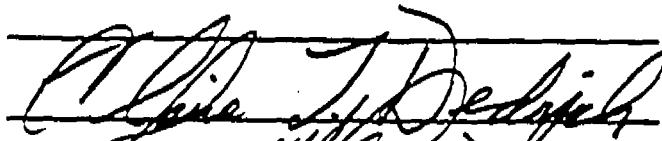
7. The Executive Director shall serve a copy of each of the tariff amendments on each subscriber to Minimum Rate Tariff 17-A.


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

Dated at San Francisco, California, this 27th day of MARCH, 1979.



President





Commissioners

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Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 3--AREA-TO-POINT RATES (CONTINUED)	
LIST OF DELIVERY POINTS (Continued)	
Delivery Point	Delivery Zone
Diamond H Transit-Mixed Concrete 856 Richmond Avenue, Oxnard-----	56104
Downey Building Materials 9645 East Washburn Road, Downey----- 11432 South Paramount Boulevard, Downey-----	19443 19443
Poster Sand & Gravel Co. 201 Commercial Street, Anaheim----- 135 North Brea Boulevard, Brea----- 12792 Soule Street, at end of Joy Street, Garden Grove-----	30013 30003 30043
French & Sons, Inc., E. W. 12421 South Ramona Avenue, Hawthorne-----	19213
G & E Ready Mixed Concrete 2521 East Artesia Boulevard, Long Beach----- 1385 Orizaba Avenue, Long Beach-----	19447 19464
Glendale Ready Mixed Concrete 4549 Brazil Street, Los Angeles-----	19106
Greene's Ready Mixed Concrete Co. 19030 South Normandie Avenue, Torrance-----	19232
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Croty Ready-Mix 34212 Santa Fe Avenue, Capistrano Beach-----	30102
Huntington Beach Ready Mix Concrete Co. 7391 Talbert Avenue, Huntington Beach-----	30061
*Huntmix, Inc. 1380 Arrow Highway, Irwindale----- 1601 Alameda Street, Wilmington-----	19348 19245
Hurst Concrete Products Company 332 East Haley Street, Santa Barbara-----	42016
Hydro Conduit Corp. 5555 North Irwindale Avenue, Irwindale-----	19336
* Addition) ** Eliminated) Decision No. 90131	
	EFFECTIVE 5/5/79
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 3--AREA-TO-POINT RATES (CONTINUED)	
LIST OF DELIVERY POINTS (Continued)	
Delivery Point	Delivery Zone
Industrial Asphalt	
7971 Newkirk Road, Anaheim-----	30023
24702 Wilmington Avenue, Carson-----	19245
337 South Aviation Boulevard, El Segundo-----	19215
12052 Arrow Highway, Etiwanda-----	36043
2715 East Washington Boulevard, Los Angeles-----	19418
4701 Huntington Drive, Montclair-----	36048
1401 East Warner Avenue, Santa Ana-----	30052
13050 East Imperial Highway, Santa Fe Springs-----	19441
8182 Katella Avenue, Stanton-----	30034
Kennedy Ready Mixed Concrete Co., Inc.	
900 South Idaho, La Habra-----	30005
Livingston-Graham, a division of Brown Company	
21815 Marilla Avenue, Chatsworth-----	19046
18030 Washington Street, Fountain Valley-----	30054
6956 Cherry Avenue, Long Beach-----	19447
750 Commercial Avenue, Oxnard-----	56104
2901 182nd Street, Redondo Beach-----	19227
29261 Rosenbaum Road, San Juan Capistrano-----	30100
1620 19th Street, Santa Monica-----	19166
1368 Mission Road, Santa Paula-----	56043
8122 Katella Avenue, Stanton-----	30034
11720 Wicks Street, Sun Valley-----	19040
2822 South Soto Street, Vernon-----	19418
12033 East Whittier Boulevard, Whittier-----	19423
2801 East Grant, Wilmington-----	19246
Long Beach Department of Public Service, Street Maintenance Yard	
1725 San Francisco Avenue, Long Beach-----	19466
Los Angeles Municipal Asphalt Plant No. 1	
2484 East Olympic Boulevard, Los Angeles-----	19176
Lyman's Ready Mixed Concrete, Inc.	
7277 East Rosecrans Avenue, Paramount-----	19445
Midway Building Material	
4531 Holt Boulevard, Montclair-----	36049
Mission Ready Mix Concrete	
840 South Cucamonga Avenue, Ontario-----	36051
Owl Rock Products Co.	
13021 Sampson Street, Corona-----	33047
505 Railroad Place, Inglewood-----	19202
16662 Construction Way, Irvine-----	30073
13623 East Live Oak Avenue, Irwindale-----	19348
1420 North Lincoln Avenue, Pasadena-----	19305
1919 Massachusetts Avenue, Riverside-----	33016
27050 Watson Road, Romoland-----	33081
1120 East Washington Street, Santa Ana-----	30046
3365 East 26th Street, Vernon-----	19418
No change on this page, Decision No. 90131 !	
EFFECTIVE 5/5/79	
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Correction	