

DC/FS*

Decision No. 90670 AUG 14 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)
sand, rock, gravel and related)
items in bulk, in dump truck)
equipment between points in)
California as provided in Mini-)
mum Rate Tariff 7-A and the)
revisions or reissues thereof.)

Case No. 5437
Petition for Modification
No. 307
(Filed June 25, 1979)
Petition for Modification
No. 308
(Filed July 5, 1979)

INTERIM OPINION AND ORDER

California Trucking Association (CTA) and California Dump Owners Association (CDTOA), petitioners, seek authority to increase the minimum rates for the transportation of property in dump truck equipment set forth in Minimum Rate Tariff 7-A (MRT 7-A). Petitioners assert that since the minimum rates in MRT 7-A were last adjusted pursuant to Decision No. 89597 dated October 31, 1979 in Case No. 5437 (Petition 301), carriers performing transportation services under that tariff have incurred increased operating costs. Petitioners ask that the rates be adjusted to reflect such costs using the same methods and procedures utilized by the staff in similar proceedings involving Minimum Rate Tariff 7-A.

Petitioners, in compliance with the President's guidelines on wage/price standards and the Commission's Resolution No. M-4704, dated January 30, 1979, allege that carriers' current revenues are not and will not be adequate to offset their expenses unless relief is granted as set forth in this petition. cm

A great need for an immediate rate increase for the services of dump truck carriers is apparent. However, costs for these services have not been developed in the manner necessary to pursue the Commission's normal methods of developing rate increases and

rate relationships for dump truck services. Preliminary analysis indicates that a ten percent increase (in surcharge form) will provide \$16.0 million in increased revenue and that the increase is justified. The Commission sees no reason to delay this rate relief.

In the circumstances, the Commission finds that a ten percent surcharge will provide reasonable and nondiscriminatory minimum rates, on an interim basis, for the transportation governed by MRT 7-A.

The Commission concludes that the petition should be granted, on an interim basis, as set forth in the ensuing order.

IT IS ORDERED that:

1. Minimum Rate Tariff 7-A (Appendix B to Decision 82061, as amended) is further amended by incorporating therein, to become effective August 18, 1979, Supplement 13 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 82061, 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 shall be filed not earlier than the effective date of this order and may be made effective not earlier than the effective date of the supplement attached hereto on not less than one day's notice to the Commission and to the public.

4. Common carriers, in establishing and maintaining the rates 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 to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

C. 5437, Pets. 307 & 308 - tt/FS

5. In all other respects, Decision 82061, 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 7-A.

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

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

Dated AUG 14 1979, at San Francisco, California.

John G. Guyon
President

Thomas L. Steyer

Richard D. Gravelle

Samuel H. Quinn
Commissioners

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

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the rates and rules of this tariff, and increase the resulting total amount by sixteen and one-quarter (16 1/4) percent. (See Exception)

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half (1/2) cent shall be dropped and fractions of one-half (1/2) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

1. Item 90 - Accessorial charges;
2. Items 100 and 110 - (Railhead-to-railhead charges only);
3. Item 120 - Bridge and Ferry Tolls;
4. Item 260 - Additional charge for service.

THE END

o Increase, Decision No.

SURCHARGE SUPPLEMENT

SUPPLEMENT 13

(Cancels Supplement 12)
(Supplements 9 and 13 Contain All Charges)

TO
MINIMUM RATE TARIFF 7-A

NAMING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF PROPERTY IN DUMP TRUCK
EQUIPMENT BETWEEN POINTS IN CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AGRICULTURAL CARRIERS

AND

DUMP TRUCK CARRIERS

Decision No.

90670

EFFECTIVE AUGUST 18, 1979

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California 94102