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Decision No. 90671

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 )  
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. 38  
(Filed July 5, 1979)

INTERIM OPINION AND ORDER

California Dump Truck Owners Association (CDTOA) seeks authority to increase the minimum rates for the transportation of rock, sand, gravel and related commodities in dump truck equipment as set forth in Minimum Rate Tariff 17-A (MRT 17-A). CDTOA asserts that since the rates were last adjusted pursuant to Decision 90038 dated February 27, 1979 in Case 9819 (Petition 34), carriers performing transportation services under that tariff have incurred increased operating costs. CDTOA asks that the rates be adjusted to reflect such costs using the same methods and procedures utilized by the staff in similar proceedings involving MRT 17-A.

Petition, in compliance with the President's guidelines on wage/price standards and the Commission's Resolution No. M-4704, dated January 30, 1979, alleges 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. scw

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 \$4.5 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 17-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 17-A (Appendix C to Decision 80578, as amended) is further amended by incorporating therein, to become effective August 18, 1979, Supplement 17 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 80578, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustment ordered by this decision.
3. Tariff publication 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.

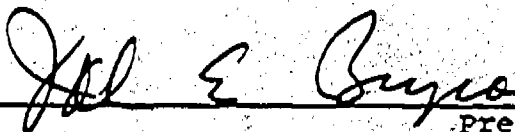
5. In all other respects, Decision 80578, as amended, shall remain in full force and effect.

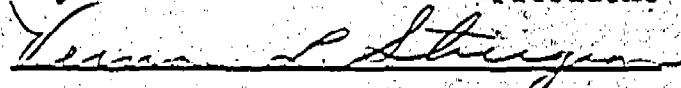
6. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 17-A.

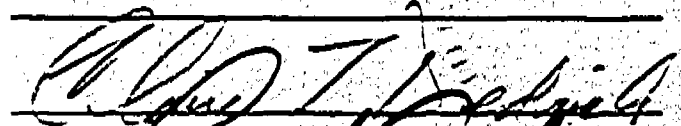
7. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 17-A.

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

Dated AUG 14 1979, at San Francisco, California.

  
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President

  
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Commissioners

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

**SUPPLEMENT 17**

(Cancels Supplement 16)

(Supplements 6, 13 and 17 Contain All Changes)

**MINIMUM RATE TARIFF 17-A**  
NAMING

**MINIMUM RATES AND RULES**

**FOR THE**

**TRANSPORTATION OF PROPERTY**

**IN DUMP TRUCK EQUIPMENT FROM**

**DEFINED PRODUCTION AREAS TO DESIGNATED DELIVERY ZONES**

**AND POINTS IN SOUTHERN CALIFORNIA**

**BY**

**RADIAL HIGHWAY COMMON CARRIERS**

**HIGHWAY CONTRACT CARRIERS**

**AND**

**DUMP TRUCK CARRIERS**

Decision No.

**90671**

**EFFECTIVE AUGUST 18, 1979**

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 three-quarters (16 3/4) 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 180 - Accessorial charges;
- 2. Items 200 and 220 - (Railhead-to-railhead charges only);
- 3. Item 280 - Collect on delivery (C.O.D.) Shipment.

APPROVED BY THE BOARD OF RAILROAD COMMISSIONERS

APPROVED BY THE BOARD OF RAILROAD COMMISSIONERS

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APPROVED BY THE BOARD OF RAILROAD COMMISSIONERS

VS

APPROVED BY THE BOARD OF RAILROAD COMMISSIONERS

o Increase, Decision No.

APPROVED BY THE BOARD OF RAILROAD COMMISSIONERS

17300

Decision No.