

Decision No. 90672 AUG 14 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi-)
gation for the purpose of)
considering and determining)
minimum rates for transportation)
of rock, sand and gravel, in)
bulk, in dump truck equipment)
in Northern California as pro-)
vided in Minimum Rate Tariff 20)
and Northern California Produc-)
tion Area and Delivery Zone)
Directory 2, and the revisions)
or reissues thereof.)

Case No. 9820
Petition for Modification
No. 16
(Filed June 25, 1979)

INTERIM OPINION AND ORDER

California Trucking Association (CTA), petitioner, seeks authority to increase the minimum rates for the transportation of rock, sand, and gravel in four- and five- axle dump truck equipment set forth in Minimum Rate Tariff 20 (MRT 20). CTA asserts that since the minimum rates in MRT 20 were last adjusted pursuant to Decision No. 39922 dated January 30, 1979 in Case No. 9820 (Petition 13), carriers performing transportation services under that tariff have incurred increased operating costs. CTA asks 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 20.

Petitioner, 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.

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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 produce \$1.8 million in increased revenue and that the increase is justified. The Commission sees no reason to delay this rates 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 20.

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 20 (Appendix A to Decision 81799, as amended) is further amended by incorporating therein, to become effective August 18, 1979, Supplement 11 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 81799, 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.

5. In all other respects, Decision 81799, 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 20.

7. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 20.

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

Dated AUG 14 1979, at San Francisco, California.

John E. Byrne
President

Vernon L. Strigman

Clayton J. ...
James W. ...
Commissioners

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

SURCHARGE SUPPLEMENT

SUPPLEMENT 11

(Cancels Supplement 10)
(Supplements 2, 7, and 11 Contain All Changes)
TO: ...
MINIMUM RATE TARIFF 20

NAMING
MINIMUM ZONE RATES AND RULES
FOR THE
TRANSPORTATION OF ROCK, SAND AND GRAVEL
IN FOUR- AND FIVE-AXLE DUMP TRUCK EQUIPMENT FROM
DEFINED PRODUCTION AREAS TO DESIGNATED DELIVERY ZONES
IN NORTHERN CALIFORNIA

BY
DUMP TRUCK CARRIERS

90672

Decision No.

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. Items 180 and 190 - Accessorial charges;
2. Items 200 and 220 - (Railhead-to-railhead charges only);
3. Item 280 - Collect on Delivery (C.O.D.) Shipment.

THE COMMISSION SHALL MAKE SUCH CHANGES AS MAY BE NECESSARY TO BRING THIS TARIFF INTO ACCORDANCE WITH THE PROVISIONS OF THE TARIFF ACT OF 1930, AS AMENDED.

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THE END

◊ Increase, Decision No.

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