C.4246-4434 - AH

ORIGINAL

Decision No. 41718

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of rates, rules, and regulations for the transportation of property by common carriers as defined in the Public Utilities Act and highway carriers as defined in the Highway Carriers' Act.	Case No. 4246
In the Matter of the Establishment of rates, rules and regulations for the transportation of property by carriers as defined in the City Carriers' Act.	Case No. 4434

F. W. Turcotte, for Maywood Glass Co., Division of Anchor Hocking Glass Corporation.

E. O. Blackman, for California Dump Truck Owners Association.

SUPPLEMENTAL OPINION

Minimum rates, rules and regulations for the transportation of various commodities in dump trucks by city and highway carriers are set forth in City Carriers' Tariff No. 6, Highway Carriers' Tariff No. 7 (Appendix "A" of Decision No. 32566 as amended in these proceedings), hereinafter referred to as "the dump-truck tariff." Commodities other than those specified in this tariff, whether or not transported in dump trucks, are governed by rates set forth in other minimum rate tariffs. By appropriate petition the Maywood Glass Company asks that cullet, now subject to rates in Highway Carriers' Tariff No. 2, be added to the list of articles subject to the dump-truck tariff.

A public hearing was had at Los Angeles on June 10, 1947, before Examiner Bryant.

Petitioner introduced evidence through the testimony of its traffic manager, and through rate exhibits and testimony offered by a transportation rate specialist. From this evidence it appears that

Maywood Glass Company is engaged in manufacturing glass containers at its plant located in unincorporated territory in the vicinity of Los Angeles. Approximately 40 per cent by volume of the contents of the glass containers consists of cullet, which is described as crushed or broken glass prepared from used glass articles. Petitioner purchases most of its cullet from a plant located in South Gate, where secondhand glass articles are washed, separated according to color, and crushed. To the best of petitioner's knowledge the South Gate concern is the only one in California engaged in manufacturing cullet for sale to glass manufacturers. Glass manufacturers commonly buy old bottles and other glass articles and prepare the cullet at their plants with their own facilities.

The distance from the cullet plant to petitioner's glass plant is about 6½ miles. Movement has been by rail, in gondola cars, in quantities of approximately 100,000 pounds per carload. Petitioner has assertedly found the rail delivery unsatisfactory, due in part to unloading facilities and handling conditions within its plant. It believes that the most practical method of transporting the cullet is in bulk in dump trucks. It asks that cullet be added to the list of commodities specified in the dump-truck tariff, in order that minimum rates may be established no higher than those in effect for similar transportation of other commodities normally transported in dump trucks.

The transportation rate specialist testified that cullet has a weight per cubic yard of approximately 2,300 pounds, while the weight of material commonly moved in dump trucks varies from about 1,800 to 3,500 pounds. Thus, he said, cullet is well within the weight range of commodities on which the minimum rates in the dump-truck tariff are applicable. It was explained that loading and unloading conditions and other cost factors, under the movement

herein contemplated, will be comparable to those encountered in other dump-truck transportation. The value of cullet was declared to be similar to that of other commodities now included within the tariff.

No one opposed the granting of this application. A representative of the California Dump Truck Owners Association participated in examination of the witnesses. Upon conclusion of the taking of evidence, he stated that his association favored the inclusion of cullet in the dump-truck tariff, as sought by petitioner.

The record thus developed is convincing that this petition should be granted. It does not now appear that cullet will be regularly transported in dump trucks, except between the particular points in Los Angeles County hereinbefore described. It is clear, however, that for this movement, as well as for similar ones which may occur elsewhere, rates specified in the dump-truck tariff will be appropriate as minimum. According such rates to this commodity as sought will remove the application of higher and less appropriate rates which were designed for entirely different loading and unloading conditions.

The petition will be granted.

O R D E R

Based upon evidence of record and upon the conclusions and findings set forth in the preceding opinion,

IT IS HEREBY ORDERED that City Carriers' Tariff No. 6, Highway Carriers' Tariff No. 7 (Appendix "A" of Decision No. 32566, as amended) be and it is hereby further amended by substituting therein, to become effective October 15, 1947, the following revised

pages, which pages are attached hereto and by this reference made a part hereof.

Fourth Revised Page 8 (cancels Third Revised Page 8)
Third Revised Page 40 (cancels Second Revised Page 40)

IT IS HEREBY ORDERED that in all other respects Decision No. 32566, as amended, shall remain in full force and effect.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 16th day of September, 1947.

Harold P. Huls

Justus F. Craemer

Ira H. Rowell

R. F. Mitchell

Commissioners

Item No.	SECTION NO. 2	DISTANCE RATES (Continued) In cents per ton

MATERIAL, viz.:

Granite, decomposed,
Gravel,
Sand,
Stone, crushed, chips, waste,
Stone, natural, blocks, pieces or slabs, rough quarried,
Stone, natural, sawed, not further finished,
Barium, clay or silicate mud compounds, dry, oilwell drilling,
Cement clinker,
Clay,
*Cullet (glass, broken or crushed),
Earth,
Loam,
Mud, dry, oilwell drilling,
Shale,
Slag.

Between Points in SOUTHERN TERRITORY (See Item No. 100 series), except that portion of San Diego County for which rates are provided in Item No. 135 series.

*130-D
Cancels
130-C

MILES		RATE
Over	But not over	
0	4	25
4	6	29
6	8	36
8	10	42
10	12	48
12	14	54
14	16	59
16	18	63
18	20	69
20	25	78
25	30	91
30	35	104
35	40	116
40	45	129
45	50	141
50	55	154
55	60	167
60	65	179
65	70	192
70	75	205
75	80	217
80	85	230
85	90	243
90	95	255
95	100	268
100		Add to rate for 100 miles 12 cents per ton for each 5 miles or fraction thereof.

* Change, Decision No. 40714

EFFECTIVE OCTOBER 15, 1947

Issued by the Public Utilities Commission of the State of California, San Francisco, California.

Correction No. 92

Item No.	SECTION NO. 4 HOURLY RATES
	APPLICATION OF RATES
300-A Cancels 300	Rates in this section are Hourly Rates and apply from, to and between points in California subject to the description of Southern Territory defined in Item No. 100 series and Northern Territory defined in Item No. 110 series.
5-15-40	Rates in this section for transportation within Southern Territory will apply only when notice in writing is given to the carrier, before the transportation commences, of the shippers' intention to ship under such rates. When such notice is given rates in Sections Nos. 2 and 3 will not apply.
	INTERTERRITORIAL MOVEMENTS
310	(a) Where the movement originates within the Southern Territory of the State and terminates within the Northern Territory of the State, the hourly rates applicable shall be those set forth in Item No. 360 series under heading "Southern Territory"
1-3-40	(b) Where the movement originates within the Northern Territory of the State and terminates within the Southern Territory of the State, the hourly rates applicable shall be those set forth in Item No. 360 series under heading "Northern Territory."
	COMMODITIES
	Rates in this Section apply to the transportation of the following commodities:
	MATERIAL, viz.: Sand; Gravel; Stone-natural, blocks, pieces or slabs rough quarried; Stone-natural, sawed not further finished; Stone-crushed, chips, waste;
*320-B Cancels 320-A	Sand, crushed stone and gravel, mixed dry; Earth; Clay; Loam; Slag; Shale; Mud, dry, oilwell drilling; Barium, clay or silicate mud compounds, dry, oilwell drilling; Decomposed granite; Asphaltic Concrete (commonly called "Hot stuff"); Cold Road Oil Mixture (commonly called "Plant Mix");

	Debris from street or highway maintenance; Debris from demolition of buildings and structures; Fertilizer; Manure; Ore; Salt Cake (Crude Sulphate of Soda); Soap Stone or Talc, crude, blocks, pieces or slabs rough quarried or not further finished than sawed or chipped on four sides; Cement Clinker; Concrete, premixed, wet; *Cullet (glass, broken or crushed).

*Change, Decision No. 40714

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San Francisco, California.

Correction No. 93