

Decision No. 56281

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
J. P. HAYNES, Agent, for authority	)	Application No. 39720
to publish charges for extended	)	
heating of commodities in tank cars.	)	

OPINION AND ORDER

Six of the rail lines operating in California publish a charge in their terminal tariffs for furnishing steam to heat certain freight in tank cars for unloading.<sup>1</sup> The charge is constant regardless of the length of time the car is kept on steam. By this application J. P. Haynes, Agent, on behalf of these carriers, seeks authority to limit the present charge to apply for a period of 48 hours from the time the car is connected to the steam supply; and to establish an additional charge of \$8.00 per car for each additional 24 hours or fraction thereof that the tank car is using steam facilities. He also seeks authority to cancel the tariff provisions for heating of tank cars by the San Diego & Arizona Eastern Railroad, which no longer has facilities for heating tank cars.

The application shows that certain commodities shipped in railway tank cars are not sufficiently fluid at normal temperatures to flow freely when unloaded. Tank cars used to transport such commodities are equipped with internal steam heating coils. Before being delivered to the consignee, a tank car is switched to a steam track at the destination yard or terminal, steam hoses are attached to its heating coil connections and the freight heated. When the contents of the car reach a free-flowing condition the car is switched to the shipper's track for unloading. The length of time the car is kept on the steam facilities before being placed for unloading is

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<sup>1</sup> The rail lines are The Atchison, Topeka & Santa Fe Railway, Pacific Electric Railway, San Diego & Arizona Eastern Railroad, Southern Pacific Company, Union Pacific Railroad and Western Pacific Railroad.

specified by the consignee and not limited by the carriers' tariffs.

According to the application, demurrage charges do not start to accrue on cars until they are placed for unloading after heating. The application states that the present tariff rules governing the furnishing of steam heat allow extended service at lower charges than result under straight demurrage charges without steam. Thus, applicant alleges, if a consignee wished to avoid demurrage charges, it could instruct the carrier to keep a tank car on steam for an indefinite period until the consignee was prepared to receive the car at its own tracks. Applicant states that the involved steam heating provisions have been a source of criticism of the carriers.

Applicant alleges that the experience of the carriers shows that 48 hours is ample time to heat a tank car for unloading in California and that in only one instance in recent years have they been called upon to heat a car for more than that period. He asserts that requests for steam heating beyond a 48-hour period are neither necessary nor appropriate. Applicant also points out that the proposed \$8.00 per car charge is identical to that now made for extended demurrage.

Applicant states that the additional charge is proposed not only for the reasonable protection of the carriers against abuses of steam privileges, but is also in the interest of equitable treatment among shippers. He states that at many terminals where steam service is available the facilities are rather limited and requests for extended time may delay service that is required by other shippers. California rail lines propose to establish the sought provisions concurrently on intrastate and interstate traffic.

The application shows also that San Diego & Arizona Eastern Railroad has not conducted any steam service since 1951. Since that time, applicant states, this carrier has not had available facilities for furnishing steam heat; that it has received no requests for such service; and that it expects no requests in the future from industries on its line.

Interested parties have been notified of the filing of the application. No objection has been received.

In the circumstances, it appears, and the Commission finds, that applicant's proposals are justified. The application will be granted.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That applicant is hereby authorized to publish, on behalf of The Atchison, Topeka & Santa Fe Railway, Pacific Electric Railway, Southern Pacific Company, Union Pacific Railroad and Western Pacific Railroad, on not less than five days' notice to the Commission and the public, the following in connection with items containing Charges for Heating in Tank Cars:

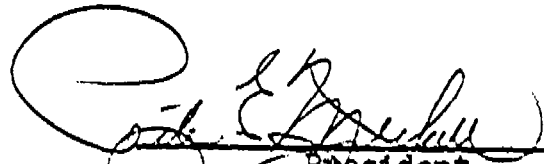
"Applicable heating charge is limited to 48 hours from time car is connected to steam supply. A charge of \$8.00 per car will be made thereafter for each 24 hours or fraction thereof."

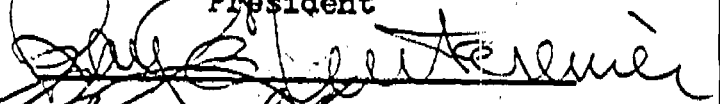
(2) That applicant is authorized, on not less than five days' notice to the Commission and the public, to cancel Item No. 420 of San Diego & Arizona Eastern Railroad Terminal Tariff No. 3-D, Cal. P.U.C. No. 24.

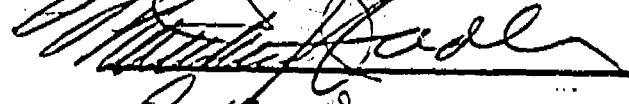
The authority hereinabove set forth shall expire unless exercised within sixty days after the effective date of this order.


This order shall become effective twenty days after the date hereof.

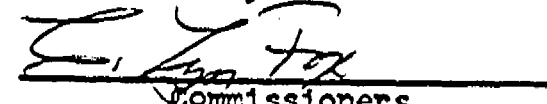
Dated at San Francisco, California, this 25th day of February, 1958.

  
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 President

  
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