

ORIGINALDecision No. 56340

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
 into the rates, rules, regulations,)
 charges, allowances and practices)
 of all common carriers, highway)
 carriers and city carriers relating)
 to the transportation of general)
 commodities (commodities for which)
 rates are provided in Minimum Rate)
 Tariff No. 2).)

Case No. 5432
 Petition for Modification
 No. 97

Arlo D. Poe, J. C. Kaspar and James K. Quintrall,
 for California Trucking Associations, Inc.,
 petitioner.
Paul Wellnitz, for Union Carbide Corporation,
 interested party.
John Laurie, for the Commission's staff.

O P I N I O N

By this petition filed October 3, 1957, as amended December 6, 1957, the California Trucking Associations, Inc., seeks the establishment in Minimum Rate Tariff No. 2 of an exception rating to apply on truckload shipments of synthetic plastics, weighing 30 pounds or more per cubic foot, in rubber bags weighing 9,000 pounds or more loaded, when loaded and unloaded by mechanical means by the shipper. The proposed exception rating is Class B, minimum truckload weight, 40,000 pounds. The present rating is 5th Class, minimum truckload weight 30,000 pounds.

Public hearing was held December 6, 1957 before Examiner Jack E. Thompson at San Francisco. Evidence was adduced through the testimony of an employee of petitioner's research department, the general manager of a highway carrier engaged in transporting the

commodity involved herein, and the traffic manager of a manufacturer of polyethylene.

Within recent years, manufacturers of rubber goods have developed, and placed on the market, collapsible containers for flowable solid materials and liquids. The containers are made with two or more plies of cord fabric and synthetic rubber vulcanized into one piece. Steel cables are spaced through the interior, running from various points at the bottom of the bag to a ring at the top. There are ports or connections at the top and at the bottom of the bag for filling and emptying. At least one manufacturer produces the containers in four sizes.¹

After material is placed into the container, the closures are sealed and the bag is inflated with compressed air. The inflation is necessary to facilitate the handling of the laden container. When inflated, the container is cylindrical in shape.

The containers have been in use in states other than California for approximately three years. They were first used for the shipping of polyethylene within California in November 1956. Since that date, a manufacturer at Torrance, California, has utilized the containers in shipping polyethylene in pellet form to a consignee in Fremont. Mechanical hoist equipment is required for

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The following are the specifications of containers made by one manufacturer:

<u>Capacity</u>		<u>Tare Weight</u>	<u>Height in Inches</u>	<u>Diameter in Inches</u>
<u>Cubic Feet</u>	<u>Maximum Weight</u>			
370	22,000 lbs.	575 lbs.	100	100
300	18,000 lbs.	500 lbs.	99	90
70	8,750 lbs.	200 lbs.	82	48
50	6,250 lbs.	165 lbs.	68	44

the handling of the large size containers. The manufacturer of polyethylene desires to expand the use of the containers. When said containers are not used, polyethylene pellets are ordinarily shipped in paper bags. The highway carrier engaged in transporting polyethylene in rubber containers desires, as well as the petitioner herein, to expand the use of large rubber containers in connection with shipments of synthetic plastics.

The containers used in the present movement of polyethylene are of the 300 cubic foot capacity type (see footnote 1, supra). When laden to capacity with polyethylene, the bags weigh approximately 10,500 pounds. Four bags usually comprise a truck-load shipment and can be transported in a 35-foot semitrailer or two twenty-foot trailers in a train. The size of the containers, as well as the weight, prevents more than four of the containers being hauled by standard-type vehicles used in transporting truck-load traffic. The laden containers cannot be loaded or unloaded without power or mechanized loading devices. The experience of a highway carrier engaged in transporting polyethylene in said containers is that shipments of 42,000 pounds are loaded in less than twenty minutes and are unloaded in similar time. Tarping and extensive tying down of the loads are not necessary.

Polyethylene has a density of approximately 35 pounds per cubic foot. The specifications of the bags as set forth by one manufacturer show the capacities of the bags of various sizes when loaded with polyethylene. They are: 10,500 pounds for the 300 cubic foot size, 2,450 for the 70 cubic foot size, and 1,750 for the 50 cubic foot size. The maximum width of loads that may be

transported without special permission over public highways in this State is 96 inches. The diameter of the 370 cubic foot capacity bag is 100 inches.

The containers are collapsible and, when shipped empty, the 300 cubic foot size bag weighs approximately 500 pounds and occupies a space of approximately 36 cubic feet.

There have been no claims for loss or damage to shipments of polyethylene in rubber bags. Claims have been made with respect to shipments of polyethylene in paper sacks.

Conclusions

Petitioner stated that the proposed reduction in rating is justified by the transportation conditions peculiar to this movement wherein capacity truckloads may be hauled with very little loading and unloading time, and with little risk of loss or damage. It was stated that the economies resulting from those peculiar conditions would provide greater net revenues under rates governed by the proposed rating than from the movement of polyethylene in sacks under the present rating. The reason for the 30 pounds per cubic foot requirement is to assure the obtaining of pay loads of 40,000 pounds or more on one unit of equipment. The restriction that the bags weigh 9,000 pounds or more assertedly is also necessary to assure the obtaining of the minimum truckload weight on one unit of equipment and also to reasonably assure the rapid loading and unloading which results from the handling of a few large containers as compared to the handling of numerous smaller containers.

The facts show that the unusually favorable transportation characteristics of the articles proposed by petitioner to be covered

by the exception rating provide maximum pay loads for a unit of equipment, with very little time required for the loading, the tying of loads preparatory to movement over public highways, and the unloading. These unusually favorable conditions do not obtain when more than one unit of equipment is required to transport a 40,000-pound shipment, as might be the case where the densities of commodities shipped are less than 20 pounds per cubic foot or containers other than the size presently used are involved. It does not appear that sufficient containers of the 50 cubic foot size or the 70 cubic foot size containing polyethylene or other plastics of densities of 30 or 35 pounds per cubic foot could be placed upon the bed of a 35-foot semitrailer to provide a load of 40,000 pounds or more.

Upon consideration of all of the facts and circumstances of record, the Commission is of the opinion that the proposed exception rating is reasonable. While the proposed rating is unusual because of the restrictions contained therein, the restrictions are necessary to assure that the transportation conditions which justify the lower rating are met.

O R D E R

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

IT IS ORDERED:


1. That Minimum Rate Tariff No. 2 (Appendix A of Decision No. 31606, as amended) is further amended by incorporating therein, to become effective March 30, 1958, Ninth Revised Page 39, which page is attached hereto and by this reference made a part hereof.


2. That tariff publications authorized to be made by common carriers as a result of the order herein may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the tariff changes herein involved.


3. In all other respects, Decision No. 31606, as amended, shall remain in full force and effect.


The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco California, this 11th day of MARCH 1, 1958.



President






Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION(Continued)	
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)	Class Rating
370	Ice cream, less carload.....	2
375	Malt, milk and cocoa compound) Milk and cocoa compound) less carload Milk, malted)	4
377-A Cancels 377	Paints or Varnishes, not otherwise indexed by name in the Western Classification, Bronzing Liquids, Lacquers or Shellacs, liquid or paste, less carload..... Paint, Lacquer or Varnish Reducing, Removing or Thinning Compounds, not otherwise indexed by name in the Western Classification, less carload	4
378-A Cancels 378	Pipe, cast iron pressure, not less than 12 feet and not more than 18½ feet in length, in straight shipments or in mixed shipments with cast iron pressure pipe fittings Pipe, cast iron soil, not less than 5 feet and not more than 5½ feet in length, in straight shipments, or in mixed shipments with cast iron soil pipe fittings. Minimum weight, 36,000 pounds	5
#6 379	Plastics, synthetic, liquid or other than liquid, not otherwise indexed by name in the Western Classification, weighing 30 pounds or more per cubic foot, in rubber bags, each bag containing not less than 9,000 pounds of plastics; consignor to load and consignee to unload by mechanical means. Minimum weight, 40,000 pounds	B
380	Salt, common, less carload	90% of 4
390-A Cancels 390	Sugar (Applies only in connection with rates which are subject to a minimum weight of less than 10,000 pounds)	90% of 4

Addition)
o Reduction) Decision No. 56340

EFFECTIVE MARCH 30, 1958

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

Correction No. 802