

Decision No. 60282

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
RAY W. FRASER, doing business as)
W. A. FRASER TRUCKING CO., for an)
order authorizing departure from the)
Minimum Rate Tariff No. 2, under the)
provisions of Section 3666 of the)
Public Utilities Code.)

Application No. 42189

OPINION AND ORDER

Applicant holds radial highway common, highway contract, and city carrier permits. He is also authorized to operate as a certificated highway common carrier of general commodities within and adjacent to the San Francisco-East Bay Cartage Zone, as well as of specific commodities between certain other points, which transportation is not involved herein.

By this application, filed April 22, 1960, applicant seeks authority, under Section 3666 of the Public Utilities Code, to transport shipments of radioactive contaminated waste materials mixed with cement, in steel drums, from a warehouse located at Cowell to a barge site at Antioch, at a rate of 12 cents per 100 pounds, minimum weight 40,000 pounds.

The application states that the shipper, Nuclear Engineering Co., Inc., is performing certain work on radioactive materials at its Vallecito plant; and that there results from this operation waste articles which are possibly contaminated from radioactive substances and must of necessity be disposed of with great caution. The application further states that the proposed disposal procedure will be to mix the waste materials, primarily paper and rags, with cement and transfer the mixture in steel drums. The steel drums, the application recites, are stored in a warehouse at Cowell from whence they will be transported by applicant to Antioch when barges are available for subsequent disposal at sea.

The application further recites that the drums, when loaded with the mixture of cement and contaminated waste materials, weigh approximately 600 pounds each and that 64 drums can be transported on a 35-foot semi-trailer for a pay load weighing approximately 40,000 pounds. Applicant proposes that three trips be made each day for a total daily revenue of \$144.00.

It is alleged, as indicated in the cost study attached to the application, that the proposed operation can be conducted at a reasonable profit at the proposed rate of 12 cents per 100 pounds.

The application avers that a study was made by applicant, in response to the shipper's demand that proof be furnished as to the lawfulness of the charges which would be assessed, to determine the proper charge for the transportation here in question. Included in the study, the application states, was a review of rail and motor freight classifications and inquiries made of carriers, tariff agents, and this Commission's staff. From this study, the application states, it was concluded that no classification or rate has been established for the considered commodity nor is it sufficiently analogous to any other commodity to permit its classification by analogy.

No objection to the granting of the application has been received. The Transportation Division staff has reviewed the verified application and has recommended that it be granted.

In the circumstances, it appears, and the Commission finds, that the proposed rate for the specified commodity between the points involved is reasonable. A public hearing is not necessary. The application will be granted. Because the transportation conditions under which the proposed service is performed may change at any time, the authority granted herein will be made to expire at the end of one year unless sooner canceled, changed or extended by order of the Commission.

Therefore, good cause appearing,


IT IS ORDERED:

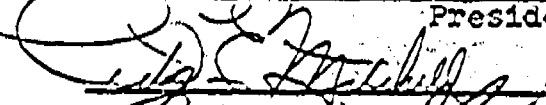
(1) That Ray W. Fraser, doing business as W. A. Fraser Trucking Co., operating as a highway permit carrier, is hereby authorized to transport shipments of radioactive contaminated waste materials mixed with cement, in steel drums, from Cowell to Antioch at a rate of not less than 12 cents per 100 pounds, minimum weight 40,000 pounds, for the Nuclear Engineering Co., Inc.


(2) That the authority herein granted shall expire one year after the effective date of this order unless sooner canceled, changed or extended by order of the Commission.

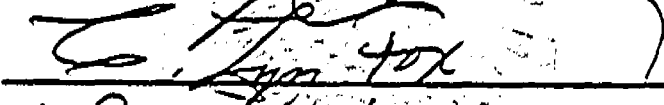
This order shall become effective twenty days after the date hereof.

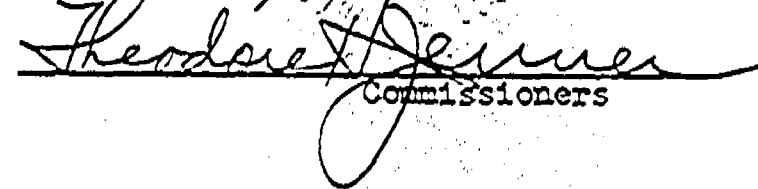
Dated at San Francisco, California, this 20th day of June, 1960.



President








Commissioners