

Decision No. 70311

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PCP TRANSPORTATION)
COMPANY, a corporation and a high-)
way carrier other than a highway)
common carrier to perform transpor-)
tation services for PACIFIC CLAY)
PRODUCTS in the movement of clay)
pipe and clay pipe fittings, broken)
or damaged, from Santa Fe Springs)
to Alberhill, California at less)
than minimum rates.)

Application No. 48125
(Filed December 14, 1965)

OPINION AND ORDER

PCP Transportation Company holds operating authority from this Commission as a radial highway common carrier, highway contract carrier and city carrier. By Decision No. 68390, dated December 22, 1964, in Application No. 46923, applicant was authorized to assess a less-than-minimum rate of 5 cents per 100 pounds, minimum weight 40,000 pounds per shipment, for the transportation of clay pipe and clay pipe fittings, broken or damaged, for Pacific Clay Products Company (Pacific Clay) from Santa Fe Springs to Alberhill. The current authority is scheduled to expire February 1, 1966. By this application, applicant seeks an extension of the current authority for a further one-year period.

By Decision No. 68390, supra, the authority in issue was found by the Commission to be reasonable on the basis of evidence received at a public hearing on November 5, 1964. The evidence showed that the applicant's terminal at Santa Fe Springs is adjacent to Pacific Clay's plant site where large quantities of clay pipe and clay pipe fittings are produced. By reason of the fragile nature of this pipe, a portion of such production is inevitably broken or

damaged either in the course of manufacture or transportation. Pacific Clay previously disposed of the broken or damaged pipe by dumping it in a pit or excavation located on the site of its Santa Fe Springs facility. As excavation was approaching its maximum fill capacity, it became necessary for the shipper to commence dumping this waste material at a pit located on the site of its Alberhill brick plant.

Applicant served Pacific Clay's plant at Alberhill in the transportation of intrastate and interstate shipments of brick. The movement of brick was in such volume that applicant continually spotted at least 10 trailers at the Alberhill plant. When a trailer was loaded with brick by the shipper, applicant was so notified. A tractor and empty trailer were then dispatched from Santa Fe Springs. The empty trailer was dropped at the Alberhill plant site to replace the loaded trailer. Applicant's driver then connected the tractor to the loaded trailer and proceeded to destination. After delivery of the brick, the driver returned to the carrier's terminal at Santa Fe Springs. Applicant desired to convert the shuttle movement of a tractor and empty trailer from Santa Fe Springs to Alberhill to a revenue producing service by transporting the shipper's waste material to the pit at Alberhill. Applicant asserted that the services it performed for Pacific Clay constituted a single operation over which the shipper had full control.

Applicant states that the aforementioned operations have not changed in any material respect since November 5, 1964, and

the allegations in Application No. 46923 and the evidence presented at the public hearing held thereon are relevant and applicable in this proceeding.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable during the ensuing year.

The certificate of service shows that a copy of the verified application was mailed to California Trucking Association on December 13, 1965. The application was listed on the Commission's Daily Calendar of December 16, 1965. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rate is reasonable for the transportation involved. A public hearing is not necessary. The Commission concludes that the application should be granted.

In view of the impending expiration date of the current authority, the order which follows will be made effective February 1, 1966.

IT IS ORDERED that:

1. PCP Transportation Company is hereby authorized to transport clay pipe and clay pipe fittings, broken or damaged, for Pacific Clay Products Company at a rate less than the established minimum rate but not less than the rate set forth in, and subject to the conditions specified in, Appendix A attached hereto and by this reference made a part hereof.

2. The authority granted herein shall, on and after February 1, 1966, supersede the authority granted by Decision No. 68390, and shall expire with February 1, 1967.

This order shall become effective February 1, 1966.

Dated at San Francisco, California, this 1st day of February, 1966.

Friedrich B. Hallock
President
John E. Mitchell
George F. Hoover
Augustus
William W. Bennett
Commissioners

APPENDIX A TO DECISION NO. 70311

APPLICATION OF RATES

Carrier: PCP Transportation Company

Shipper and
Consignee: Pacific Clay Products Company

From: Shipper's plant site located at Santa Fe
Springs.

To: Consignee's plant site located at Alberhill.

Commodity: Clay pipe and clay pipe fittings, broken or
damaged, so as to be unfit for use.

Rate: 5 cents per 100 pounds.

Minimum Weight: 40,000 pounds per shipment (per unit of
carrier's equipment used).

Conditions: (1) Shipments shall be loaded and unloaded by the
Pacific Clay Products Company.

(2) Shipments shall be restricted to carrier's
tractor and trailer equipment which has
previously been ordered by Pacific Clay
Products Company and dispatched by the
carrier from Santa Fe Springs for a sub-
sequent outbound shipment of brick
originating at Alberhill.

(End of Appendix A)