

ORIGINAL

Decision No. 78649

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
WEST COAST WAREHOUSE CORPORATION, a	)	
California corporation, for authority	)	Application No. 52579
to deviate from the minimum rates	)	(Filed April 21, 1971)
pursuant to Section 3666 of the	)	
Public Utilities Code, for specified	)	
shipper.	)	

INTERIM OPINION AND ORDER

By this application, West Coast Warehouse Corporation seeks authority under its radial highway common carrier permit to assess rates and charges less or different than the established minimum rates and charges for the transportation of sodium chloride, in bulk, in dump truck equipment between points in Los Angeles and Orange Counties for Ocean Salt Company.

Applicant states that in essence the requested relief continues the hourly rates and charges which were published in Minimum Rate Tariff 5 prior to the changes brought about by implementation of Decisions Nos. 78264, 78266 and 78271.<sup>1</sup> Applicant points out that Minimum Rate Tariff 15 does not provide hourly rates for the transportation of property in dump truck equipment and that the cancellation of the hourly rate provisions in Minimum Rate Tariff 5 would materially increase the rates and charges for the transportation of sodium chloride, in bulk, in dump truck equipment between points in Los Angeles and Orange Counties.

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<sup>1</sup> By these decisions, the Commission, among other things, canceled the hourly rate provisions in Minimum Rate Tariff 5 and established other hourly rate provisions in Minimum Rate Tariff 15.

Applicant declares that the subject transportation is essentially performed in transfer dump truck equipment capable of transporting approximately 24 tons of sodium chloride. Applicant avers that it averages 3.3 loads per day in such equipment and that it also operates a smaller hydraulic truck unit capable of transporting 8 tons of this commodity. Applicant contends that the aforementioned transportation is highly efficient.

Applicant asserts that transportation at the rates and charges proposed will be profitable. Exhibit 7 attached to the application shows that transportation in dump truck equipment at the proposed rates and charges resulted in operating ratios of 82, 78 and 79.4 for the test months of January, February and March, 1971.

Applicant alleges that, unless the sought relief is granted, immediate diversion of this traffic to proprietary operations will result and that, once the shipper purchases a truck for this transportation, the traffic will be forever lost to it and to the for-hire transportation industry.

Copy of this application was mailed to California Trucking Association on or about April 21, 1971. The application was listed on the Commission's Daily Calendar of April 26, 1971. No objection to the granting of the application has been received.

The Transportation Division staff has reviewed the application and recommends that it be granted by ex parte order on an interim basis pending decision on evidence to be adduced at a public hearing.

Subject to further review upon consideration of evidence which may be adduced at a public hearing, it appears, and the

Commission finds, that the proposed rates and charges are reasonable. In view of the existing conditions, the Commission concludes that applicant should be granted interim authority for a period of six months. A future hearing will be scheduled in this proceeding.

IT IS ORDERED that:

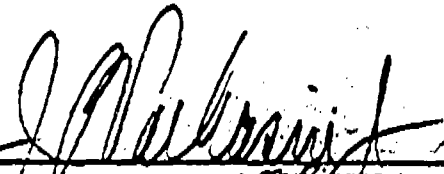
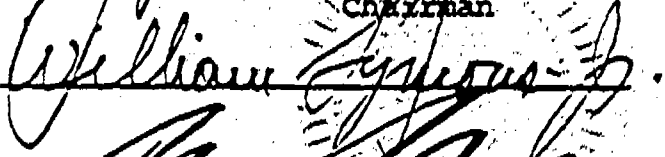


1. West Coast Warehouse Corporation is authorized to transport sodium chloride, in bulk, in dump truck equipment, for the account of Ocean Salt Company at rates and charges less than the established minimum rates and charges otherwise applicable but not less than those set forth in and subject to the conditions specified in Appendix A, attached hereto and by this reference made a part hereof.

2. The authority granted herein shall expire six months after the effective date of this order unless sooner canceled, modified or extended by order of the Commission.

3. A public hearing shall be scheduled in this proceeding for the receipt of evidence on this application and full disposition thereof.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 4<sup>th</sup> day of May, 1971.

  
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Chairman  
  
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\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners

APPENDIX A

Carrier: WEST COAST WAREHOUSE CORPORATION

Shipper: Ocean Salt Company, 1250 Panorama Drive, Long Beach, California, 90802

Commodity: SODIUM CHLORIDE, in bulk, in dump trucks.\*

Rates and Territory:

Sodium Chloride, in bulk in dump trucks, transported between or within Los Angeles and Orange Counties, subject to Notes 1, 2, 3, 4 and 5:

<u>Weight in Pounds</u>	<u>Rates in Cents per Hour</u>
0 to 20,000 pounds	1639
Over 20,000 but not over 30,000 pounds	1720
Over 30,000 pounds	1887

Note (1) Subject to a minimum charge of three (3) hours for each load.

Note (2) Weight in pounds is the greatest (heaviest) gross weight of the property transported by the unit of carrier's equipment at one time during a single transaction.

Note (3) (a) The total of the loading, unloading and driving time computed from the arrival of carrier's equipment at point of origin or first point of origin when more than one point of origin is involved, to the time unloading is completed at point of destination, or last point of destination when more than one point of destination is involved, subject to paragraph (b) hereof, shall be used to compute charges.

(b) In computing time under the basis outlined in paragraph (a) hereof the various time factors shall be not less than the actual time involved in minutes. After the total time has been determined under the provision of paragraph (a) hereof, it shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the following table:

Less than 8 minutes -----omit  
 8 minutes or more but less than 23 minutes shall be 1/4 hour  
 23 minutes or more but less than 38 minutes shall be 1/2 hour  
 38 minutes or more but less than 53 minutes shall be 3/4 hour  
 53 minutes or more shall be 1 hour

\*Includes transportation in hydraulic truck unit equipped with side boards, and dumps by means of a hydraulic hoist which is an integral part of the unit.

Note (4) Between the hours of 6:00 P.M. and 7:00 A.M., and on Saturdays, Sundays and the holidays of New Years Day, Washington's Birthday, Memorial Day, July 4, Labor Day, the Day after Thanksgiving, December 24, and Christmas Day, an additional charge at the rate of \$4.00 per hour (or fraction thereof) shall be assessed.

Note (5) Rates named herein are subject to an additional charge at the rate of \$8.00 per man-hour, minimum charge \$4.00, when carrier furnishes help in addition to the driver. The time for computing the additional charge shall be not less than the actual time in minutes the helper or helpers are engaged in performing the services. The total time so computed shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the table provided by Note 3(b).

Prior to the transportation of the property, OCEAN SALT COMPANY must enter into a written agreement with WEST COAST WAREHOUSE CORPORATION to ship at rates no lower than those provided herein, stating specifically the class of service desired. No single agreement shall cover shipments transported over a period in excess of 31 days.

The agreement shall be in substantially the following form, and the original or a copy thereof shall be retained and preserved by the carrier, subject to the Commission's inspection, for a period of not less than three (3) years from the date of its issuance.

In accordance with these provisions, I hereby elect to have Sodium Chloride transported by WEST COAST WAREHOUSE CORPORATION FROM Long Beach, California to points in Los Angeles and Orange Counties, California, at the rates and charges set forth in Decision No. \_\_\_\_\_ of the Public Utilities Commission of California.

Shipper: OCEAN SALT COMPANY By \_\_\_\_\_

Confirmed:  
WEST COAST WAREHOUSE CORPORATION By \_\_\_\_\_

(END OF APPENDIX A)