

Decision No. 85087

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of TRUX TRANSPORT, INC., a California corporation, for authority under Section 3666 of the Public Utilities Code of the State of California to deviate from the minimum rate for the transportation of various chemical products for Allied Chemical between certain interplant points.

Application No. 55861
(Filed August 11, 1975;
amended September 25, 1975)

O P I N I O N

Applicant operates as a highway contract and radial highway common carrier. Pursuant to the provisions of Section 3666 of the Public Utilities Code, it seeks authority to assess a rate of 89 cents per hundred pounds, minimum weight 40,000 pounds per unit of equipment utilized, for the transportation of various packaged chemicals, acids, and empty cylinders for Allied Chemical between its plants, warehouses, and storage sites in San Francisco and Nichols, and those located in Los Angeles and El Segundo.

The minimum rate for the commodities for which applicant here seeks a deviation is Class 35.3, 104 cents per one hundred pounds, minimum weight 45,000 pounds.

Applicant alleges that the following favorable operating conditions exist which are substantially different from those considered in establishing the minimum rate. The transportation is between Allied Chemical's plants and warehouses in San Francisco and Nichols, and those located in El Segundo and Los Angeles. The freight moves in truckload quantities, and does not require any handling by applicant,

nor any terminal facilities. The conditions of loading at the Allied Chemical sites are very organized and efficient. The freight is palletized and power loaded and unloaded by Allied Chemical without the assistance of carrier, and thereby reduces pickup or delivery time to less than three minutes per ton.

Applicant is presently transporting various shipments from the Allied Chemical plant in Nichols, to the Allied Chemical warehouse in Los Angeles, and various other consignees in the southern California area. Applicant has carried this freight for five years, and is very much aware of the favorable operating conditions and operating expenses surrounding the proposed freight movement. Present shipping volumes indicate there are about twelve truckloads per month, or six round trips. However, under normal economic conditions, sixteen loads per month, or eight round trips would be the monthly average. The freight will move on a weekly basis, with an outbound movement matched with a returning inbound movement. Under these operating conditions, applicant would always travel with a complete payload without deadhead mileage.

Revenue and cost data set forth in Appendix A attached to the application disclose that the transportation at the proposed rates will be compensatory.

The application was served upon the California Trucking Association and appeared on the Commission's Daily Calendar of August 15, 1975. No objections to granting the application have been received.

Findings

1. The circumstances that exist for applicant's transportation of the commodities involved in this proceeding which are not present in the ordinary transportation of these commodities are shipments which are power loaded and unloaded by consignor and consignee, without the assistance of carrier personnel and applicant is assured of a two-way haul.

2. There is a cost saving directly attributable to applicant's transportation of the commodities involved.

3. The proposed rate is compensatory, reasonable, and justified. The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Trux Transport, Inc. is authorized to depart from the minimum rates set forth in Minimum Rate Tariff 2 by charging those rates set forth in Appendix A of this decision. This authority does not include any deviation from any rates, rules, or regulations except as specifically set forth in Appendix A.

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

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 12th day of NOVEMBER, 1975.

William J. Quinn, Jr.
President
Vernon L. Sturgeon
[Signature]

Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

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Carrier: Trux Transport, Inc.

Shipper: Allied Chemical.

Between: Shipper's facilities in San Francisco and Nichols,
on the one hand, and shipper's facilities in Los Angeles
and El Segundo, on the other hand.

<u>Commodities</u>	<u>N.M.F.C. 100-B Item</u>
Acetic Acid	3020
Acids, NOI Dry	3040
Acids, NOI, Liquid	3050
Chromic Acid	4080
Hydrofluoric Acid	4180
Muriatic (Hydrochloric) Acid	4320
Nitric Acid	4360
Phosphoric Acid	4440
Phthalic Anhydride or Isophthalic Acid	4460
Sulphuric, or Oil of Vitriol	4540
Cylinders	41160
Acetone, NOI	42640
Alcohol	42690
Aluminum Sulphate or Papermakers' Alum	42910
Ammoniacal Liquor or Aqua Ammonia, NOI	42920
Fluoride	43010
Hydrogen Dioxide or Hydrogen Peroxide	44640
Bichromate	46160
Bisulphite Dry	46180
Carbonate	46220
Trichloroethylene	47200
Xylo1 or Xylene	47260
Bottles, Carboys, Demi-johns or Jars, NOI	87720
Refrigerants, NOI, Liquid or Gas; or Dispersant or Refrigerated Gases, NOI	169270

1/ National Motor Freight Classification 100-B.

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Rate: 89 cents per one hundred pounds.

Minimum Weight: 40,000 pounds per unit of carrier's equipment.

Rules:

1. Rate does not apply to shipments in bulk except for Cylinders and Carboys.
2. Rate applies only when shipping order and bill of lading contain the following notation: "The agreed on declared value of the property is hereby specifically stated by the shipper to be not exceeding 50 cents per pound for each article."
3. Rate applies on straight or mixed shipments.
4. Shipments are to be power loaded by consignor and power unloaded by consignee.
5. Rate applies only when carrier is tendered a return movement covered by this deviation.