

ORIGINAL

Decision No. 88741 APR 18 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of SOUTHWEST TRAILS, INC., a)
 California corporation, for au-)
 thority to deviate from minimum)
 rates pursuant to Section 3666 of) Application No. 57910
 the Public Utilities Code for the) (Filed March 2, 1978)
 transportation of scrap paper for)
 recycling for the account of Garden)
 State Paper Company, Inc.)

OPINION AND ORDER

By this application, Southwest Trails, Inc. (Southwest), a California corporation, requests authority to deviate from the provisions of Minimum Rate Tariff 2 for the transportation of scrap paper for recycling from points in the Sacramento and North Sacramento Extended Areas to the facilities of Garden State Paper Company, Inc. (Garden State) at Pomona.¹

Authority to deviate from the provisions of Minimum Rate Tariff 2 was originally granted by Decision 86208, dated August 3, 1976. On renewal, applicant requested the deviation for scrap paper be eliminated due to the incompatibility in the transportation of both products on common equipment since the plastic contaminated the paper for recycling.

Southwest now has determined that the trailers can be cleaned sufficiently after being used to haul the scrap plastic so they can be used for the two-way movement; i.e., the scrap plastic movement from Los Angeles to Woodland, and the scrap paper movement on the return trip from Sacramento to Pomona. The granting of the deviation will allow applicant a profitable

¹ The minimum rate, exclusive of applicable surcharges, and the proposed rate in cents per 100 pounds for a representative shipment of scrap paper is as follows:

<u>From</u>	<u>To</u>	<u>Present Rate</u> <u>Minimum Weight</u> <u>40,000 Pounds</u>	<u>Proposed Rate</u> <u>Minimum Weight</u> <u>50,000 Pounds</u>
Sacramento	Pomona MZ 211	111	86

two-way movement, provide a needed service for the supporting shipper at an equitable cost, and result in benefits to the public through the recycling and reuse of otherwise disposable products.

The application was listed on the Commission's Daily Calendar of March 6, 1978. No objection to the granting of the application has been received.

In the circumstances, the Commission finds that applicant's proposal is reasonable. A public hearing is not necessary. The Commission concludes that the application should be granted as set forth in the ensuing order, and the effective date of this order should be the date hereof because there is an immediate need for this rate relief.

IT IS ORDERED that:

1. Southwest Trails, Inc., a California corporation, is authorized to perform the transportation shown in Appendix A attached hereto and by this reference made a part hereof at not less than the rate set forth therein..

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

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 18th day of APRIL, 1978.

Robert Batistich
President
William J. Quinn, Jr.
Vernon L. Sturgeon
Clare D. Smith
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

Carrier: Southwest Trails, Inc.
Shipper: Garden State Paper Company, Inc.
Commodity: Scrap paper for recycling.
Origin: Points in the Sacramento Extended Area and the North Sacramento Extended Area.
Destination: Plant site of Garden State Paper Company, Inc. Pomona.
Minimum Weight: 50,000 pounds.
Rate: 86 cents per 100 pounds.

Conditions:

1. Rate includes placement of trailers spotted at places within the Sacramento Extended Area and the North Sacramento Extended Area for receipt and loading of scrap paper.
2. Rate subject to loading by consignor at origin and unloading by consignee at destination without cost to carrier.
3. Rate subject to released value of 50 cents per pound or one-half (1/2) the actual value of product, whichever is the lesser.
4. Rate applies per unit of carrier's equipment.
5. Freight charges to be paid by Garden State Paper Company, Inc.
6. Responsibility for cleaning the trailer to ready it for the transportation of the scrap paper rests solely with the carrier.
7. Responsibility for acceptance of the trailer as ready for the transportation of the scrap paper rests solely with the shipper or its representative.
8. After acceptance of the trailer by the shipper responsibility for contamination of the scrap paper rests solely with the shipper.
9. Applicant has stated that subhaulers will not be engaged for this transportation. Therefore, if subhaulers are employed, they shall be paid not less than the rate authorized herein without any deduction for use of applicant's trailing equipment.
10. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF APPENDIX A)