

Decision No. 29563.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
 by the Commission on its own motion)
 into the rates, rules, regulations)
 and practices of carriers engaged)
 in the transportation of petroleum)
 products within this State.)

Case No. 4079.

BY THE COMMISSION:

ORIGINAL

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 29267 dated November 9, 1936, in the above entitled proceeding, the Commission established reasonable and sufficient rates for common carriers by railroad, and just, reasonable and non-discriminatory minimum rates for highway carriers (as defined in the Highway Carriers' Act, Chapter 223, Statutes of 1935), for the transportation of refined liquid petroleum products, when moving in tank cars, tank trucks, tank trailers or tank semi-trailers or a combination of such highway vehicles, between points in this state.

By petition filed February 23, 1937, the Tank Truck Operators Association of California alleges that whereas the minimum rate prescribed in said Decision No. 29267 for the transportation of such petroleum products by highway contract carriers from San Diego to El Centro is 22 cents per 100 pounds, the San Diego & Arizona Eastern Railroad (a line of railway operating through the Republic of Mexico and not subject to the jurisdiction of this Commission in transportation between San Diego and El Centro) has published and filed with the Interstate Commerce Commission a rate of 18 cents per 100 pounds for the transportation of refined petroleum products in tank cars from San Diego to El Centro.¹ Petitioner

¹ San Diego & Arizona Eastern Railroad Tariff No. 21-A, C.R.C. No. 68, I.C.C. No. 72, 22nd Revised Page 42 thereof, filed to become effective March 1, 1937.

further alleges that in order to participate in the transportation of petroleum products, it will be necessary for petitioner's members to charge rates no higher than those published by said San Diego & Arizona Eastern Railroad. Petitioner asks that the Commission make its order authorizing its members and other tank-truck operators to charge a minimum rate of 18 cents per 100 pounds for said transportation from San Diego to El Centro.

It appears that this is a matter in which a public hearing is not necessary and that the petition should be granted; therefore, good cause appearing,

IT IS HEREBY ORDERED that said Decision No. 29267 dated November 9, 1936, in the above entitled proceeding be and it is hereby amended by adding the following paragraph to Item No. 2 of Appendix "A" thereof:

"EXCEPTION - For transportation from San Diego to El Centro the rate shall be 18 cents per 100 pounds."

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 29267, as amended, shall remain in full force and effect.

The effective date of this order shall be March 1, 1937.

Dated at San Francisco, California, this ¹⁰ 26 day of

February, 1937.

Walter W. Brown
Leon O. Whitsett
Frank P. Weller
Raymond W. Weller

Commissioners.