

DECISION NO. 20422

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)
and Petroleum Products within the)
State of California.)

ORIGINAL

Case No. 4079

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 Refined)
Petroleum Products in Tank Cars,)
Tank Trucks, Tank Trailers, or Tank)
Semi-Trailers, or any combination)
thereof, in lots of less than 5800)
gallons, within this state.)

Case No. 4191

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)
and Petroleum Products within this)
State.)

Case No. 4249

BY THE COMMISSION:

EIGHTEENTH SUPPLEMENTAL OPINION AND ORDER - CASES NOS. 4079-4191,
FOURTH SUPPLEMENTAL OPINION AND ORDER - CASE NO. 4249.

By appropriate petitions in the above entitled proceedings,
The Tank Truck Operators Association, Inc., seeks reductions in the
minimum rates heretofore established for the transportation of petro-
leum and petroleum products between various points in California.¹
Petitioner also requests that the reduced rates be made non-interme-
diate in application.

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The points of origin involved in the petition are those embraced by
Groups Nos. 1, 2, 3, 4, 5, 6 and 11; also Lyoth, Tracy, Stockton, Sacra-
mento, Baths, West Sacramento and San Diego, California. The points of
destination, in northern California, are Wendel, Litchfield, Susanville,
Viewland, Ravendale, Madeline and Alturas, and, in Southern California,
are Campo, Jacumba Hot Springs, Coyote Wells, Plaster City, Dixieland,
Seeley, El Centro, Niland, Calipatria, Westmoreland, Fuller, Brawley,
Imperial, Calexico, Colorado, Holtville and Meloland.

In support of the petitions it is asserted that the sought rates are the same as those now maintained by the Southern Pacific Company and San Diego & Arizona Eastern Railway Company for interstate transportation of petroleum and petroleum products from and to the points here involved, and that petitioner's members must assess rates no higher than those contemporaneously maintained by rail carriers for interstate transportation from and to the named points, if they are to participate in this traffic.²

This is not a matter in which a public hearing is necessary. Truck carriers operating over intrastate routes between points in California are entitled to a competitive equality with rail carriers serving the same points via interstate routes. The reduced rates sought will be authorized.

The interstate rail competition sought to be met is not present at intermediate highway destinations served by the interstate rail carriers; consequently, modification of rates to such intermediate points is not necessary. The reduced rates will be made non-intermediate in application as requested.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 30085 of August 28, 1937, as amended, in Cases Nos. 4079 and 4191, be and it is hereby further amended as provided in Appendix "A" attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that Decision No. 31469 of November 10, 1938, as amended, in Case No. 4249, be and it is hereby

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The Southern Pacific Company serves northern California points between Wendel, Alturas and Susanville, via an interstate route through Fernley, Nevada. The San Diego & Arizona Eastern Railway and Southern Pacific Company operate from San Diego to points in the Imperial Valley via a route through the Republic of Mexico.

further amended as provided in Appendix "B" attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that all highway common carriers as defined in the Public Utilities Act be and they are hereby authorized to depart from the provisions of Section No. 24(a) of the Public Utilities Act, and of Article XIII, Section 21 of the Constitution of the State of California, to the extent necessary to establish and maintain as non-intermediate rates the rates herein authorized.

IT IS HEREBY FURTHER ORDERED that all carriers who may be deemed to be transportation companies, as that term is employed in Article XIII, Section 21, of the Constitution of the State of California, other than common carriers as defined in the Public Utilities Act, be and they are hereby authorized to charge less for longer than for shorter distances to the extent necessary to maintain the rates herein authorized as non-intermediate rates.

IT IS HEREBY FURTHER ORDERED that in all other respects said Decisions Nos. 30085 and 31469, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 27th day of June, 1939.

Raymond A. ...
James R. ...
Ray K. Riley
M. L. ...
Justice J. ...

APPENDIX "A"

Substitute the following exceptions for the exceptions now contained in Item No. 2 of Section No. 2 of Appendix "A-1" to Decision No. 30085 of August 28, 1937, as amended:

"Exception (1) For transportation from and to the points described in the following table, or points in California intermediate thereto on the line of the Southern Pacific Company between Stacy on the one hand and Westwood and Alturas on the other hand, the minimum rates shall be the applicable distance rates set forth in this item, or the rates contained in the following table, whichever are lower:

FROM	TO	Rates in Cents per 100 Pounds
Groups 1 and 2		
Stockton	Alturas	39
Groups 1 and 2	Westwood	35
Group 3		42
Group 4	Wendol	
	Litchfield	45
	Susanville	
Group 11		46
Sacramento Baths		
West Sacramento		26 $\frac{1}{2}$
Stockton	Litchfield	
	Susanville	33
Group 6	Susanville	53

(2) For transportation from and to the points shown in the following table, or points in California intermediate thereto on the line of the Southern Pacific Company between Colorado and Calexico, the minimum rates shall be the applicable distance rates set forth in this item, or the rates contained in the following table, whichever are lower:

FROM	TO	Rates in Cents Per 100 Pounds
Group 6	Niland Meloland	
	Imperial Heber	
	Sandia El Centro	28
	Fuller Calexico	
	Holtville	
	El Centro	
	Niland	
San Diego	Calipatria Meloland	
	Westmoreland Holtville	
	Sandia Heber	20
	Fuller Calexico	
	Rockwood Colorado	
	Brawley	
	Grape	
	Imperial	

APPENDIX "B"

Add to Item No. 120 of Appendix "A" to Decision No. 31469 of November 10, 1938, as amended, the following:

"Note 3. For transportation from and to the points described in Item No. 140 hereof, the minimum rates shall be the applicable distance rates set forth in this item, or the rates contained in Item No. 140 hereof, whichever are lower:

ITEM NO. 140 - Rates in this item apply for the transportation of petroleum or petroleum products, as described in Item No. 30, from and to the points named, or points in California intermediate there-to on the lines of the Southern Pacific Company or San Diego and Arizona Eastern Railway, subject to the provisions of Note 3 of Item No. 120.

Column 1 - Rates apply on petroleum crude oil, fuel oil, gas oil or road oil.

Column 2 - Rates apply on asphalt.

FROM	TO	Rates in Cents per 100 Pounds	
		Column 1	Column 2
Groups 1 and 2		30	30
Groups 3, 4, 5 and 11	Alturas	35	35
Lyoth Tracy			
Stockton Sacramento	Alturas	30	30
Baths			
Groups 1 and 2		29	25
Group 3		34	30
Group 4		34	30
Group 11	Wendol	34	30
Group 5	Litchfield	34 $\frac{1}{2}$	30
Lyoth Tracy	Susanville	29	25
Stockton		28	25
Sacramento			
Baths		22 $\frac{1}{2}$	22 $\frac{1}{2}$
West Sacramento			
Groups 1 and 2			
Lyoth Tracy	Viewland	--	26
Stockton Sacramento	Ravendale	--	28
Baths	Madeline	--	29
	Viewland	35	31
Groups 3, 4 and 11	Ravendale	35	32
	Madeline	35	34
Group 6	Campo	19	19
	Jacumba Hot Springs	19	19
	Jacumba Hot Springs	10	--
	Coyote Wells Westmoroland		
	Plaster City Fuller		
	Dixieland Brawley		
San Diego	Secley Imperial	14 $\frac{1}{2}$	14 $\frac{1}{2}$
	El Centro Calexico		
	Niland Holtville		
	Calipatria Meloland		
	Colorado	20	--