

Decision No. 33341

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
UNITED TOWING CO., a corporation, )  
for a permit authorizing the opera- )  
tion of "For-hire vessels" for the )  
transportation of property for com- ) Application No. 23614  
pensation or hire on and about and )  
between certain points on the inland )  
waters of the State of California. )

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

In the above entitled application United Towing Co., a corporation, seeks a permit under the "For-Hire Vessel Act" (Chapter 223; Statutes of 1933) authorizing the operation of for-hire vessels for transportation of bulk liquid petroleum products of all kinds from the Martinez refinery of Shell Oil Company, Incorporated, the Avon refinery of Tidewater Associated Oil Company and the Oleum refinery of Union Oil Company, to Stockton, Tracy, Antioch and intermediate points on the San Joaquin River east of said Martinez refinery. The transportation will be performed by applicant as a private carrier, under contract with Shell Oil Company, Incorporated.

A description of Barge No. 8 proposed to be used in this service is set forth in Exhibit "A" attached to the application. Applicant also proposes to use Barges 1, 3, 5, 6 and 9 and a description of these barges is attached to Exhibit "A" in Application No. 23595.<sup>1</sup> Each of said barges is said to have a dead weight carrying capacity in excess of twenty (20) tons. Applicant proposes to charter or hire tugs for use in towing its

<sup>1</sup> In the application referred to United Towing Co. was granted a for-hire vessel permit for transportation of bulk petroleum products between various points on the inland waters. (Decision No. 33372 of July 30, 1940.)

barges. A statement of the rates to be charged and the rules and regulations to be observed is also set forth in the application and in Exhibit "B" thereto. It is alleged, moreover, that applicant is not now engaged or authorized to engage in transportation of property as a common carrier over the whole or any portion of the routes involved in the sought permit, or over any other routes or waters whatsoever.

It is stated in the application that Shell Oil Company, Incorporated, has been engaged for many years in supplying ocean going vessels with fuel oil, including vessels of the United States Navy, and that applicant's proposed transportation services are desirable and essential for purposes of national defense and in carrying out the present plan of naval and military preparedness of the United States Government.

The application appears to meet the requirements of the "For-Hire Vessel Act" in all essential respects. The permit will be issued.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that United Towing Co., a corporation, be and it is hereby issued a permit under the For-Hire Vessel Act authorizing the operation of for-hire vessels for transportation as a private carrier for compensation or hire, under contract with Shell Oil Company, Incorporated, of liquid petroleum products in bulk from the Martinez Refinery of Shell Oil Company, Incorporated, the Avon refinery of Tidewater Associated Oil Company and the Oleum refinery of Union Oil Company, to Stockton, Tracy, Antioch and intermediate points on the San Joaquin River east of the Martinez Refinery of Shell Oil Company, Incorporated.

IT IS HEREBY FURTHER ORDERED that the aforesaid permit shall be subject to the following conditions:

1. Applicant shall file its written acceptance of the permit herein granted within a period not to exceed fifteen (15) days from the date hereof.

2. Applicant shall file in duplicate with its acceptance of the permit, and on not less than one (1) day's notice to the Commission and the public, a tariff specifying the shipper to be served as herein authorized and containing rates, rules and regulations which in volume and effect shall be identical to the rates, rules and regulations set forth in the application and in Exhibit "B" thereto, or other rates, rules and regulations satisfactory to the Commission.

3. This permit and the rights and privileges exercisable thereunder shall not be sold, leased, transferred or assigned unless the written consent of this Commission to such sale, lease, transfer or assignment has first been obtained.

IT IS HEREBY FURTHER ORDERED that applicant may from time to time substitute other vessels for those referred to in the application, upon filing with the Commission descriptions of the vessels to be substituted.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup>  
day of August, 1940.

Ray L. Rice  
Frank D. Wren  
Walter W. Hays  
W. H. Hall  
Justus F. Craven  
Commissioners.