

ORIGINAL

Decision No. 34813

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 THE RIVER LINES (The California
 Transportation Company and Sacramento
 & San Joaquin River Lines, Inc.) for a
 certificate of public convenience and
 necessity authorizing an alternative
 highway common carrier truck service
 between certain San Francisco Bay
 points on the one hand, and Martinez,
 Pittsburg, Antioch and Rio Vista on
 the other hand.

Second Supplemental
 Application No. 23843

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION

By second supplemental application filed on October 24, 1941, The River Lines seeks authority to amend its operative right as a highway common carrier of petroleum and petroleum products from Richmond, Oleum, Martinez and Avon on the one hand, to Rio Vista, on the other hand to authorize the transportation of certain petroleum specialty products enumerated in Item No. 723 of Highway Carriers Tariff No. 2.

By Decision No. 34565, of September 2, 1941, the applicant was granted a certificate to transport petroleum and petroleum products, including compounded oils and grease, as described in the Western Classification including asphalt, petroleum liquified gas and grease binder lubricant from and to the points specified above. The instant supplemental application alleges that the foregoing commodity description is not sufficiently broad enough to include certain so-called "specialty products" usually transported by common carriers in mixed shipments with the authorized commodities and subject to a limitation that such mixed shipments may not include more than

50 per cent of said specialty products, by weight. The specialty products specifically set forth in the application are as follows:

Candles	Insecticides
Cement (mineral), pipe fitting	Liquid, cigar or cigarette lighter
Compound, anti-freeze, liquid	Oil (other than medicinal)
Compound, carbon removing	Oil, petroleum, medicinal
Compound, cement, concrete stucco or masonry water-proofing, liquid	Outfits, insect destroying (liquid insecticides with tin hand sprayers in same packages)
Compound, electrical, insulating	Paint, asphaltum
Compound, cleaning, liquid (shipping container may also contain one hand sprayer for each inner container packed therein)	Paint, liquid
Compound, paint thinning	Polish, floor
Compound, radiator cleaning, dry	Polish, furniture
Compound, rust preventing or removing	Polish, metal, liquid
Compound, type cleaning, liquid	Polish, vehicle
Dressing, automobile top, liquid	Repellents, insect
Dressing, belt, liquid	Soap, liquid
Ether (petroleum), not butyric	Solvent
Exterminators, vermin	Stain, wood, liquid
	Wax, automobile, boat, floor or furniture (shipping container may also contain one cleaning or polishing cloth for each inner container packed therein)

Authority is also desired to transport returned empty containers used in connection with the shipments of the foregoing commodities as well as shipments of petroleum and petroleum products generally.

This does not appear to be a matter in which a public hearing is necessary since the commodities sought to be included within the scope of the applicant's operative authority are generally recognized by the trade as products manufactured and distributed by petroleum oil companies. The Commission itself recognized this fact by establishing a broad commodity description in Highway Carrier's Tariff No. 2 for the transportation of petroleum and petroleum products by highway contract

carriers and radial highway common carriers who apply the same rates on the specialty products as are applicable on shipments of petroleum and petroleum products. Applicant in the usual course of its business necessarily competes with highway contract carriers and radial highway common carriers who now enjoy the broader commodity description contained in Highway Carrier's Tariff, No. 2. It appears proper therefore that applicant should be authorized to transport the specialty products and thus place itself on a competitive parity with other highway carriers. The application will be granted.

O R D E R

The foregoing matter having been formally presented to the Commission and the Commission being fully advised in the premises,

IT IS ORDERED that the certificate of public convenience and necessity heretofore granted to The River Lines by Decision No. 34004, dated March 11, 1941, as amended by Decision No. 34565, dated September 2, 1941 for the establishment and operation of automotive service as a highway common carrier of petroleum and petroleum products from Richmond, Oleum, Martinez and Avon on the one hand, to Rio Vista, on the other hand be amended to include, and the applicant is hereby authorized to transport, the following additional commodities:

Candles	Insecticides
Cement (mineral), pipe fitting	Liquid, cigar or cigarette lighter
Compound, anti-freeze, liquid	Oil (other than medicinal)
Compound, carbon removing	Oil, petroleum, medicinal
Compound, cement, concrete stucco or masonry water-proofing, liquid	Outfits, insect destroying (liquid insecticides with tin hand sprayers in same packages)
Compound, electrical, insulating	Paint, asphaltum
Compound, cleaning, liquid (shipping container may also contain one hand sprayer for each inner container packed therein)	Paint, liquid
Compound, paint thinning	Polish, floor
Compound, radiator cleaning, dry	Polish, furniture
Compound, rust preventing or removing	Polish, metal, liquid
Compound, type cleaning, liquid	Polish, vehicle
Dressing, automobile top, liquid	Repellents, insect
Dressing, belt, liquid	Soap, liquid
Ether (petroleum), not butyric	Solvent
Exterminators, vermin	Stain, wood, liquid
	Wax, automobile, boat, floor, or furniture (shipping container may also contain one cleaning or polishing cloth for each inner container packed therein)

and empty carriers, returning.

IT IS FURTHER ORDERED that in all other respects, the operative rights heretofore granted to The River Lines by Decision No. 3400A, as amended by Decision No. 34565 in the above numbered application be and it is hereby made subject to all conditions, limitations and restrictions imposed by said decisions and the orders attached thereto.

IT IS FURTHER ORDERED that The River Lines shall comply with the Decision of General Order No. 80 by filing tariffs in conformity with the authority granted herein, in triplicate, within thirty (30) days from the effective date of this order and upon not less than one (1) days notice to the

Commission and the public.

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

Dated at San Francisco, California, this 2nd day of December, 1941.

[Signature]
[Signature]
Justin P. Casner
Francis C. Havenner
[Signature]
COMMISSIONERS