

Decision No. 34894

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of LANG TRANSPORTATION CORPORATION,)
a corporation, DOUDELL TANK LINES,)
a co-partnership, and WOOD TRUCK)
LINES, a corporation, for authority)
to charge less than minimum rates)
under the provisions of the Highway)
Carriers' Act.)

Application No. 24669

BY THE COMMISSION:

OPINION AND ORDER

Applicants are highway contract carriers. By this application, filed December 27, 1941, they seek temporary authority to transport casinghead gasoline in tank truck equipment from Retreat (near Monterey) to Avon for Tidewater Associated Oil Company at a lesser rate than the minimum rate established for that transportation. The proposed rate is 9 cents per 100 pounds; the established minimum rate, prescribed by Decision No. 32608 of December 5, 1939, as amended, in Case No. 4246, in re Rates of All Common and Highway Carriers, is 17½ cents per 100 pounds.

Applicants represent that the oil company has been transporting this gasoline by tanker vessel at a cost of less than 2 cents per 100 pounds; that because of conditions which have arisen in the national emergency it is necessary temporarily to discontinue the movement of this property by vessel; and that the Company proposes, while said conditions prevail, to move the gasoline by truck. Applicants also represent that they have been transporting bulk petroleum products, chiefly gasoline, for the interested shipper from Avon to

points in the vicinity of Monterey in tank truck equipment; that this equipment can be used to transport casinghead gasoline from Retreat to Avon; that loading and unloading facilities will be available 24 hours daily, permitting greater than normal use of equipment; and that revenue under the proposed 9-cent rate would be more than sufficient to cover the cost of performing the transportation.

Tidewater Associated Oil Company requests that applicants be permitted to deviate from the prescribed rates during the time tanker vessel movement will be discontinued. It has decided, however, in the event the Commission fails to authorize the proposed rate, to purchase its own motor truck equipment and to perform the transportation service in question therewith. Applicants allege that in the event the shipper acquires trucks for that transportation, it will also use these trucks for the movement of gasoline from Avon to Monterey and vicinity. Competing highway carriers have informed the Commission, that they are not opposed to the granting of the application.

The record shows that the transportation service in question is of an emergency character and that this transportation differs materially from that usually rendered in moving petroleum products in tank truck equipment. Under the circumstances the relief sought appears to be justified; the application will be granted. Applicants will be expected to notify the Commission promptly when changed conditions permit resumption of the vessel service.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Lang Transportation Company, a corporation, Doudell Tank Lines, a co-partnership composed of John, Paul and Robert Doudell, and Wood Truck Lines, a corporation, be and they are and each of them is hereby authorized to transport casinghead


gasoline in tank truck equipment from Retreat (near Monterey) to Avon for Tidewater Associated Oil Company at a rate less than that established by Decision No. 32608 of December 5, 1939, as amended, in Case No. 4246, but not less than 9 cents per 100 pounds.

IT IS HEREBY FURTHER ORDERED that in all other respects the transportation involved in the application shall be subject to the provisions of said Decision No. 32608, as amended.

The authority herein granted is temporary and shall become void when the emergency conditions justifying the withdrawal of the vessel service shall have ended.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 30th day of December, 1941.



C. L. Riley

Justice F. C. Cramer

Francis R. Havenner

Richard Clarke

Commissioners