

Decision No. 35187

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Cantlay & Tanzola, Inc., for) Application No. 24878
authority to charge less than)
minimum rates.)

BY THE COMMISSION:

OPINION AND ORDER

By this application, filed March 30, 1942, Cantlay & Tanzola, Inc., a highway contract carrier, seeks authority to transport petroleum crude oil in tank truck equipment from Capitan to Wadstrom for Shell Oil Company at a rate less than the minimum rate established for that transportation. The sought rate is 4½ 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 5½ cents per 100 pounds. Applicant proposes that this deviation from the prescribed rate basis be limited to a ninety-day period.

It is represented that because of conditions which have arisen in the national emergency it is necessary to move crude oil now in storage at Capitan to other storage facilities; that suitable facilities are available at Wadstrom; and that this property must be transported by highway as there are no rail facilities at the originating point. It is also represented that the traffic in question can be handled by operating a 24-hour shuttle service; and that because of the substantially greater than normal use of equipment the proposed rate would be compensatory.

The Commission is advised that competing highway carriers have no objection to the granting of the application.

The record shows that the transportation service in question is of an emergency character and differs materially from that usually

rendered in moving petroleum products in tank truck equipment. Under the circumstances the temporary relief sought appears to be justified. The application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Cantlay & Tanzola, Inc., a corporation, be and it is hereby authorized to transport petroleum crude oil in tank truck equipment from Capitan to Wadstrom for Shell 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 4½ cents per 100 pounds; and that in all other respects the transportation involved in the application shall be subject to the provisions of said Decision No. 32608, as amended.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire ninety (90) days from the effective date of this order, unless sooner canceled, changed or extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 31st day of March, 1942.

Carl H. King
W. W. Baker
Francis K. Stevens
Richard L. ...
Commissioners