

Decision No. 39474

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of LANG TRANSPORTATION CORPORATION,)
a corporation, for authority to)
charge less than minimum rates under)
the provisions of the Highway)
Carriers Act.)

Application No. 27647

ORIGINALOPINION AND ORDER

Applicant, a highway carrier, seeks authority under Section 11 of the Highway Carriers' Act to transport petroleum fuel oil, in bulk, for Tide Water Associated Oil Company, from Monterey to San Juan at a rate of 5 cents per 100 pounds. The minimum rate established for this transportation by Decision No. 32608, as amended, in Case No. 4246, in re, Rates of All Common and Highway Carriers, is 5½ cents.

The verified application shows that the oil is to be used in connection with the operations of a cement mill which will resume production on or about July 22, and that applicant formerly performed like transportation at a rate of 4¾ cents under authority granted by Decision No. 36109, as amended, in Application No. 25448. It also shows that the annual volume of movement will approximate 7,800,000 gallons (58,450,000 pounds); that loading and unloading facilities will be made available to applicant 24 hours a day instead of the usual 9 to 10 hours; and that gravity unloading facilities will result in better-than-average unloading experience.

It is represented that applicant has transported bulk petroleum for many years and that under the circumstances and conditions which will surround this transportation it can be handled on a profitable basis under the proposed rate notwithstanding increased

operating costs experienced since the minimum rates were prescribed. It is also represented that unless the sought relief is granted the traffic will be transported in proprietary equipment.

It appears that the transportation service here involved is to be performed under unusually favorable circumstances and conditions and that the sought authority should be granted. A public hearing is not necessary. As it is possible, however, that conditions may change at any time, the authority will be limited to a one-year period and will be subject to cancellation, change or extension.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Lang Transportation Corporation be and it is hereby authorized to transport petroleum fuel oil, in bulk, from Monterey to San Juan, for Tide Water Associated Oil Company, at a rate less than the minimum rate established for this transportation but not less than 5 cents per 100 pounds; that in all other respects the transportation involved shall be subject to the provisions of Decision No. 32608, as amended, in Case No. 4246; and that this authority shall expire one (1) year from the effective date of this order unless sooner changed, canceled or extended by appropriate order of the Commission.

This order shall become effective ten (10) days from the date hereof.

Dated at San Francisco, California, this 9th day of July, 1946.

Harold C. Quinn
James F. Quinn
Andrew Deora
John H. Quinn
Harold P. Quinn
 Commissioners