

Decision No. 39189**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Clark Seargeant, an individual,)
doing business as Seargeant Trans-)
portation Co., for authority to) Application No. 27651
charge less than minimum rates)
under the provisions of the High-)
way Carriers Act.)

OPINION AND ORDER

Applicant is a highway carrier. He seeks authority, under Section 11 of the Highway Carriers' Act, to transport petroleum crude oil, in bulk, for Tide Water Associated Oil Company, from a well of the Wilshire Oil Company, located one and one-quarter miles from Santa Paula, to Chrisman at a rate of $3\frac{1}{2}$ cents per 100 pounds.

The verified application shows that the points of origin and destination involved are situated in areas or groups established for rate-making purposes in connection with bulk petroleum hauling, by Decision No. 32608, as amended, in Case No. 4246, in re Rates of All Common and Highway Carriers; that, from or to points in such groups, minimum rates are based on distances from or to designated mileage basing points; and that, for the movement in issue, the rate-making distance substantially exceeds the actual distance of 15 miles. The volume of the proposed rates is the same as the minimum rate for distances of over 15 but not over 20 miles.

The verified application also shows that approximately 63,000 gallons per day (478,530 pounds) are to be transported; 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 in the face of 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 the traffic is now ready to be moved and that it will be handled in proprietary equipment if the relief here sought is not granted.

It appears that the transportation service here involved is to be performed under unusually favorable 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 made subject to cancellation, change or extension.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Clark Seargeant be and he is hereby authorized to transport petroleum crude oil, in bulk, for Tide Water Associated Oil Company, from the well of Wilshire Oil Company, situated one and one-quarter ($1\frac{1}{4}$) miles from Santa Paula, to Chrisman at a rate less than the minimum rate established for such transportation but not less than $3\frac{1}{2}$ 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 date hereof, unless sooner changed, canceled or extended by appropriate order of the Commission.

This order shall become effective upon the date hereof.

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

Harold Anderson
Justin J. Green
Thomas D. Davis
James J. Sullivan
Harold P. Kuhl
Commissioners.