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ORIGINAL

Decision No. 40001

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Petition of W. F. Dunn)
 for Relief Under Section Eleven (11) of)
 the Highway Carriers' Act and Section)
 Ten (10) of the City Carriers' Act from)
 Minimum Rates presently effective for)
 Transportation of Liquid Petroleum)
 Products, Viz., Fuel Oil and Road Oil)
 by Tank Truck between points in the State)
 of California.)

Application No. 23218

SIXTH SUPPLEMENTAL OPINION AND ORDER

W. F. Dunn operates tank truck equipment as a highway contract and city carrier of fuel and road oil. He transports these commodities for Tide Water Associated Oil Company from Morris Station and Fresno Distributing Station to points within the City of Fresno and to points within a five-mile radius of either of said points of origin.¹ By Decision No. 39855, in Cases Nos. 4246 and 4434, the rate prescribed as minimum for all carriers for the transportation involved was increased, effective February 1, 1947, from 2½ to 3 cents per 100 pounds, subject to a minimum weight of 23,250 pounds. These rates, expressed in cents per 42-gallon barrel, are 23 and 28 cents per barrel, respectively. Applicant now seeks authority to charge a rate of 23-cents.

The verified application shows that from January 9, 1940 to January 27, 1946, applicant was authorized by prior orders in this proceeding to perform the service in question at rates less than the established minimum rate; that because of increased operating costs, the authority was allowed to expire on the latter date; and that, thereafter, the prescribed minimum rate, equal in volume to that here

¹ Morris Station is located approximately one-eighth mile west of the Fresno City limits. The Fresno Distributing Station is located within that city.

sought, was assessed. It also shows that operations for the year 1946 were profitable under the 23-cent rate; that this rate should continue to be compensatory during the ensuing year; and that proprietary carriage will be resorted to unless the sought authority is granted.

It appears that this is a matter in which a public hearing is not necessary and that the sought authority has been justified. Due, however, to the possibility that conditions under which the service is rendered may change at any time, the authority will be limited to a one-year period.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that W. F. Dunn be and he is hereby authorized to charge less than the established minimum rates for the transportation of petroleum fuel oil and petroleum road oil under contract for Tide Water Associated Oil Company from Morris Station and Fresno Distributing Station to points within the City of Fresno or within a radius of five (5) actual highway miles of either of said points of origin, but not less than a rate of 23 cents per barrel of 42 gallons.

The authority herein granted 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 on the date hereof.

Dated at San Francisco, California, this 25th day of February, 1947.

Harold P. Hull

Arthur F. Ferguson

W. J. D. [unclear]

Harold P. Hull

 Commissioners