

Decision No. 40092

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Petition of J. D. Chace)
 for Relief Under Section Eleven (11) of)
 the Highway Carriers' Act and Section)
 Ten (10) of the City Carriers' Act from)
 Minimum Rates Prescribed by the California)
 Railroad Commission for Transportation of)
 Liquid Petroleum Products, namely, Fuel)
 Oil by Tank Truck Between Points in the)
 State of California.)

ORIGINAL

Application No. 23323

SEVENTH SUPPLEMENTAL OPINION AND ORDER

Applicant is a city and highway contract carrier engaged in the transportation of fuel oil in tank truck equipment within a 5-mile radius of the Tide Water Associated Oil Company's distribution plant at San Jose.

For this transportation there has been established a minimum rate of 3 cents per 100 pounds. Charges must be computed on the full legal carrying capacity of the tank, but not less than 3,000 gallons. The capacity of applicant's equipment is 1,050 gallons, as a result of which the applicable minimum becomes 28 cents per barrel.

In lieu of this rate of 28 cents he seeks authority to observe a rate of 23 cents per barrel.

Applicant has with the approval of this Commission engaged in this transportation at rates less than those established for general application since 1940. He represents that the rate sought will return a reasonable margin of profit and that the transportation involved will be diverted to proprietary carriage if a higher rate is required to be applied.

It appears that this is a matter in which a public hearing is not necessary. The authority sought will be granted. Because conditions surrounding the transportation may change at any time the authority will be limited to a one-year period and made subject to such earlier change, cancellation or extension as may be warranted by future developments.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that J. D. Chace be and he is hereby authorized to charge rates less than the established minimum rates for the transportation of petroleum fuel oil for Tide Water Associated Oil Company within the City of San Jose or within a radius of 5 highway miles of the intersection of Alameda and Race Streets, San Jose, but not less than a rate of 23 cents per barrel of 42 gallons.

The authority herein granted will expire March 26, 1948, unless sooner changed, canceled or extended by appropriate order of the Commission.

This order shall become effective March 26, 1947.

Dated at Los Angeles, California, this 25 day of March, 1947.

Harold P. Hale
Justin T. Calmes
A. E. ...
Penelope ...

Commissioners