

Decision No. 43220

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA-

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers, highway)
carriers and city carriers relating)
to the transportation of property.)

Case No. 4808

SUPPLEMENTAL OPINION AND ORDER

Decision No. 43105 of July 6, 1949, in Application No. 30387, authorized Ventura Transfer Company, under Section 11 of the Highway Carriers' Act, to assess a rate less than the applicable minimum rate for the transportation of crude oil in bulk for Seaside Oil Company from an oil field in Placerita Canyon to Chrisman.

Recently this carrier obtained a certificate of public convenience and necessity as a highway common carrier under the Public Utilities Act.¹ Future transportation from the oil field to Chrisman will be conducted under that certificate rather than under permits issued pursuant to the Highway Carriers' Act. As a highway common carrier, Ventura Transfer Company is required to publish and file tariff rates. However, it is not authorized to publish and file tariff rates lower than the prescribed minimum rates. By petition, the carrier in question seeks authority to establish in its tariff for a one-year period the rate now being observed under the Section 11 order.

¹

See Decision No. 42623 of March 15, 1949, as amended in Application No. 29545.

It is shown in the verified petition that, excepting as hereinbefore indicated, there has been no change in the conditions surrounding the transportation in question; that service has been rendered on a profitable basis under a rate of the volume of that here sought; and that continuance of the rate is necessary to preserve the traffic for for-hire carriage.

The sought authority has been justified and will be granted. A public hearing is not necessary.

Petitioner's tariff rates are required to be established on or prior to September 19, 1949, on not less than five (5) days' notice.² Similar requirements will be made with respect to the tariff publishing authority herein granted. Permission to depart from the long and short haul provisions of Section 24(a) of the Public Utilities Act and Article XII, Section 21 of the State Constitution is necessary and will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Ventura Transfer Company may establish in its tariff on or prior to September 19, 1949, on not less than five (5) days' notice to the Commission and the public, a rate between the same points of the same volume subject to the same conditions as the rate authorized by Decision No. 43105 of July 6, 1949, in Application No. 30387; that the rate so established shall be published to expire one year after its effectiveness unless sooner canceled, changed or extended by order of the Commission; and that said carrier be and it is hereby authorized to depart from

2

Decision No. 42623, supra, required that tariffs be filed not later than August 17, 1949. By order issued today, the time for filing tariffs was extended to September 19, 1949.

the provisions of Section 24(a) of the Public Utilities Act and Article XII, Section 21 of the Constitution of the State of California, to the extent necessary to carry out the order herein.

This order shall become effective twenty (20) days after the date hereof.

Dated at San Francisco, California, this 16th day of August, 1949.

R. Z. Intarsa

Harold P. Hills

Harold P. Hills

Commissioners