

ORIGINAL

Decision No. 42515

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ALLYN TANK LINE, INC., for a certifi-)
 cate of public convenience and neces-)
 sity to operate as a highway common)
 carrier for the transportation of) Application No. 29631
 petroleum products, in bulk, except) (Amended)
 liquid asphalts and hot road oils, and)
 any other petroleum products requiring)
 insulated tanks, in tank trucks and)
 trailers over routes as described)
 herein.)

O P I N I O N

In Decision No. 42623, dated March 15, 1949, Allyn Tank Line, Inc. was granted a certificate to conduct highway common carrier service, as defined in Section 2 3/4 of the Public Utilities Act, "for the transportation of petroleum products, in bulk, except liquid asphalts and hot road oils, and any other petroleum products requiring insulated tanks . . .", over specified routes in the central part of California, between San Francisco and Los Angeles.

There are two applications herein. In the first, petitioner requests that the certificate be amended so as to include the southern part of California, between Los Angeles and the California-Mexico border; in the second application, it is requested that the authority granted under Decision No. 43049 be broadened by excluding therefrom the words "and any other petroleum products requiring insulated tanks".

An examination of the evidence which applicant previously submitted in this matter discloses that there is sufficient

justification to warrant an extension of operating authority so as to include the southern part of the state and, accordingly, the certificate previously granted will be so amended.

As to the elimination of the words "and any other petroleum products requiring insulated tanks", this matter was considered by this Commission in Decision No. 42623, supra, and again in Decision No. 43050, dated June 28, 1949, and it was therein determined on that record that the transportation of "liquid asphalts and hot road oils, and any other petroleum products requiring insulated tanks" was not such hauling as fell within the requirements of highway common carriage as defined in Section 2 3/4 of the Public Utilities Act. In the absence of any additional showing made in the instant petition, it is not believed that the authority granted to applicant under Decision No. 42623 should be modified so as to eliminate the words "and any other petroleum products requiring insulated tanks", and we so find. A public hearing is not necessary.

O R D E R

Application as above entitled having been filed, the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require,

IT IS ORDERED:

That Decision No. 42623 be, and it hereby is, amended by eliminating from paragraph (2), subparagraph (b) of the order, the phrase "Allyn Tank Line, Inc., a corporation," and adding, under paragraph (2), subparagraph (e), to read as follows:

(2)

(e) By Allyn Tank Line, Inc., a corporation, along the following described routes, including all intermediate points, with the right to make lateral departures therefrom within a radius of fifty (50) miles of said routes:

1. U. S. 101 and U. S. 101 By-Pass between San Francisco and the California-Mexico Line;
2. U. S. 99 between Sacramento and the California-Mexico Line;
3. U. S. 40 between San Francisco and the Nevada-California State Line;
4. U. S. 50 between Sacramento and the California-Nevada State Line;
5. U. S. 395 between the California-Nevada State Line at Topaz Lake and Junction U. S. 66;
6. U. S. 66 between Los Angeles and Needles;
7. U. S. 60 between Los Angeles and the California-Arizona State Line;
8. U. S. 91 and 466 between Barstow and Nevada-California State Line;
9. State Highway 127 between Baker and Nevada-California State Line;
10. U. S. 80 between San Diego and the California-Arizona State Line.

In all other respects, the application herein will be denied.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 7th day of November, 1949.

R. E. Anderson
Justus J. Casper
Robert F. Lowell
Harold K. Kula
Kenneth Patten
COMMISSIONERS