

ORIGINALDecision No. 44557

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 L. P. BELES, doing business under)
 the fictitious firm name and style)
 of MALCO TRANSPORTATION COMPANY, for)
 a certificate of public convenience) Application No. 29506
 and necessity to operate as a high-)
 way common carrier for the trans-)
 portation of petroleum products in)
 bulk, in tank trucks and trailers)
 over certain designated and de-)
 scribed routes.)

Elmer H. V. Hoffman for applicant. Phil Jacobson
 for F. N. Rumbly Co., protestant.

O P I N I O N

By Decision No. 42623, dated March 15, 1949
 (48 Cal. P.U.C. 559), applicant was granted a certificate of
 public convenience and necessity as a highway common carrier
 for the transportation of "petroleum products, in bulk, ex-
 cept liquefied petroleum gases and any other petroleum products
 requiring pressurized tanks, and except liquid asphalt and hot
 road oils and any other petroleum products requiring insulated
 tanks," over certain specified routes.

In the instant petition applicant requests authority
 to "transport liquefied petroleum gases, including gasoline,
 propane, and butane, in pressurized tanks for applicant's
 existing shippers and customers."

A public hearing was held on June 19, 1950, at Los Angeles, before Commissioner Huls and Examiner Syphers, at which time evidence was adduced and the matter submitted.

Applicant testified that his company now is, and has been in the past, hauling natural gasoline or casinghead in ordinary tanks. However, because of a recent fire loss, one customer will not now permit natural gasoline to be transported on its premises unless pressurized tanks are used. Also, applicant has had requests from four other shippers for pressurized equipment.

Applicant presently hauls bulk petroleum products not requiring pressurized tanks for these shippers. One of the shippers is a company, of which applicant is an officer. This company, in the brokerage of bulk petroleum products, sometimes buys a so-called "stream," consisting of raw gas as it comes out of a well. Since this "stream" contains, among other component parts, liquefied petroleum gases such as butane and propane, it is desirable to have pressurized tanks for this type of hauling.

By testimony presented at the hearing, applicant limited his request to hauling of natural gasoline to absorption plants or refineries. He specifically stated he did not desire to haul to consumers, and that he proposed to limit his use of pressurized tanks to the area between Bakersfield and the Los Angeles Basin.

The general manager of an oil company testified that his company now uses applicant, but would prefer that he use

pressurized tanks for the hauling of casinghead or natural gasoline.

The terminal manager of one common carrier, now authorized to transport petroleum products requiring pressurized tanks, testified that his company is seeking additional business and has the equipment to handle it.

After a careful consideration of all of the evidence in this record, and particularly in view of the fact that applicant's request herein is largely confined to one of providing service to existing customers by using pressurized tanks which have become necessary due to changing conditions, we are of the opinion and hereby find that public convenience and necessity require the transportation by applicant of natural gasoline and liquified petroleum gases to absorption plants and refineries in the area between Bakersfield and the Los Angeles Basin.

O R D E R

Application having been filed, a public hearing having been held, and the Commission being fully advised in the premises and hereby finding that public convenience and necessity so require,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity authorizing the establishment and operation of a service as a highway common carrier, as defined in Section 2-3/4 of the Public Utilities Act, be and it hereby is granted to L. P. Eeles, an individual doing business as Malco Transportation

14
Company, for the transportation of natural gasoline and liquefied petroleum gasoline in pressurized tanks between Bakersfield and points within twenty-five (25) miles thereof, on the one hand, and on the other Los Angeles and points within twenty-five (25) miles thereof, subject to the following condition:

The service herein authorized shall be limited to the hauling of natural gasoline and liquefied petroleum gasoline in pressurized tanks to absorption plants or refineries.

(2) That in providing service pursuant to the foregoing certificate applicant shall comply with and observe the following service regulations:

- (a) Within thirty (30) days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty (60) days after the effective date hereof, and upon not less than five (5) days' notice to the Commission and the public, applicant shall establish the service herein authorized and comply with the provisions of General Order No. 80 and Part IV of General Order No. 93-A, by filing in triplicate and concurrently making effective tariffs and time schedules satisfactory to the Commission.
- (c) Subject to the authority of this Commission to change or modify such at any time, L. P. Eeles, an individual doing business as Malco Transportation Company, shall conduct said highway common carrier service between the following points and over the following route:

U. S. Highway 99, including all intermediate points and off-route points within a radius of twenty-five (25) miles thereof.

In all other respects Application No. 29506 is denied.

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

Dated at San Francisco California, this 18th day of July, 1950.

P. Z. Indurain
Justus J. Culver
Robert L. Dwyer
Harold P. Kille
Kenneth P. Potter
COMMISSIONERS