Decision No. 48860

ORIGINAL

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

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 petroleum and petroleum products in bulk (commodities for which rates are provided in City Carriers' Tariff No. 5 - Highway Carriers' Tariff No. 6).

Case No. 5436 (Pet. No. 1)

SUPPLEMENTAL OPINION AND ORDER

By petition filed July 15, 1953; J. P. Haynes, Agent, Pacific Southcoast Freight Bureau, on behalf of the rail lines, asks for postponement until October 1, 1953 of the effective date of Decisions Nos. 48756 and 48757 of June 24, 1953, in the above-entitled proceedings, and of tariff publications required by such decisions. These decisions establish revised minimum rates for the transportation of petroleum and petroleum products in bulk in tank vehicles.

Petitioner represents that it is necessary to revise his entire petroleum tariff and that due to the volume of work involved it is physically impossible to complete the task within the specified time.

There is no showing of a need for postponement of the effective date of the decisions for any respondents other than the petitioner. Nor would petroleum contract carriers be disadvantaged by the granting of relief to petitioner since permitted highway

carriers are authorized to observe common carrier rates when such rates are lower than the minimum rates. Other common carriers may, under the same provisions, establish such lower rates in their own tariffs on statutory notice, or may seek authority to establish them on shorter notice.

In the circumstances, it appears that petitioner should be granted an extension of time in which to file his tariff amendments, as requested. A change in the effective date of Decisions Nos. 48756 and 48757 has not been justified.

A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that petitioner be and he is hereby authorized to defer until a date not later than October 1, 1953, the filing of revisions to the tariff named in the petition pursuant to Decisions Nos. 48756 and 48757 of June 24, 1953, on not less than ten days' notice to the Commission and the public, and that in all other respects the petition of J. P. Haynes, Agent, Pacific Southcoast Freight Bureau, filed July 15, 1953, be and it is hereby denied.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this <u>2/17</u> day of July, 1953.

Commissioners