

Decision No. 49280

**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 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  
(Petition No. 6)

SUPPLEMENTAL OPINION AND ORDER

Prior orders have authorized Pacific Truck Service, Inc., to publish rates for the transportation of fuel oil between Shell Point and Martinez which were less than the established minimum rates. The reduced rates of 4½ cents per 100 pounds for the movement in each direction are published in Item No. 1120 series of Tank Truck Operators Tariff Bureau's Local Freight Tariff No. 3-C, Cal. P.U.C. No. 5 of Elmer Ahl, Agent. They are scheduled to expire November 19, 1953. By petition filed October 22, 1953, permission is sought to publish a rate of 4.725 cents for the transportation from Shell Point to Martinez. The movement in the opposite direction has been replaced by an intracity operation in Martinez. Authority is also sought to publish a rate of 4 cents for the intracity haul. Both rates are proposed to be applied for a one-year period.

The verified petition shows that, except for somewhat higher operating costs which are offset by the proposed increased rate and the substitution of the intracity operation for the movement from Martinez to Shell Point, the conditions surrounding the transportation which justified deviation from the minimum rates still

obtain. It is alleged that petitioner's operations under the sought rates may reasonably be expected to be profitable during the ensuing year and that these rates are necessary to retain the transportation for for-hire carriage.

In the circumstances it appears that this is a matter in which a public hearing is not necessary and that the sought extension of petitioner's authority to publish the rate from Shell Point to Martinez, as modified herein, is justified and should be granted. Inasmuch as the published rate expires November 19, 1953, the order herein will be made effective ten days after the date hereof and petitioner will be authorized to amend the tariff on not less than five days' notice.

Since petitioner will be performing the transportation within Martinez under its city carrier permit, it will be authorized under Section 4015 of the Public Utilities Code to charge a lesser rate than the established minimum rate. We hereby find that the proposed rate of 4 cents per 100 pounds for this transportation is reasonable and consistent with the public interest.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Pacific Truck Service, Inc., be and it is hereby authorized, on not less than five days' notice to the Commission and to the public, to publish, to expire November 19, 1954, a rate of 4.725 cents per 100 pounds applicable to the transportation of petroleum fuel oil in tank trucks from Shell Point to Martinez.

IT IS HEREBY FURTHER ORDERED that Pacific Truck Service, Inc., be and it is hereby authorized to transport petroleum fuel oil in tank trucks from the plant of Shell Oil Company to the plant of Pacific Gas & Electric Company, both within the City of

Martinez, at a rate less than the established minimum rate but not less than 4 cents per 100 pounds; and that this authority shall expire November 19, 1954, unless sooner canceled, changed or extended by order of the Commission.

This order shall become effective ten days after the date hereof.

Dated at San Francisco, California, this 3rd day of November, 1953.

P. E. Dunning  
President  
Justin F. Calver  
Bennett Potter  
John E. Mitchell  
Gene Higgins  
Commissioners