

ORIGINAL

Decision No. 54472

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 car-)
riers relating to the transportation of)
petroleum and petroleum products in bulk)
(commodities for which rates are provided)
in Minimum Rate Tariff No. 6.))

Case No. 5436
(Petition No. 12)
(2nd Supplemental)

SUPPLEMENTAL OPINION AND ORDER

Pacific Truck Service, Inc., is a highway common carrier of bulk petroleum and petroleum products. Prior orders in this proceeding have authorized it to publish a rate of 4 cents per 100 pounds for the transportation of fuel oil from Shell Point to Avon and Martinez and points within one mile of Martinez; and from Martinez to points within one mile thereof.¹ This rate is lower than the otherwise applicable minimum rates named in Minimum Rate Tariff No. 6 for the transportation involved.

By Second Supplemental Petition No. 12, filed October 8, 1956, authority was sought to publish a rate of 5½ cents per 100 pounds for the transportation in question for a one-year period. Petitioner did not offer sufficient evidence to justify the sought increase. However, by interim order in Decision No. 53989 of October 30, 1956, continuation of the previously authorized rate was granted for a ninety-day period pending a hearing on the reasonableness of the proposed rate. It is now scheduled to expire February 17, 1957.

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Shell Point is situated in Contra Costa County approximately 3 miles west of Pittsburg.

By an amendment to Second Supplemental Petition No. 12, Pacific Truck Service, Inc., has submitted a cost study of the transportation in question. It shows that the proposed rate would return cost and make provision for profit. A review of the study by an engineer of the Commission's staff supports this statement.

Under the alternative common carrier rate provisions of Minimum Rate Tariff No. 6, the rate petitioner is authorized to publish may be used by any other carrier and so in effect becomes the minimum rate for the transportation to which it is applicable. On October 30, 1956, the Commission ordered that hearings be held in Case No. 5436 on a common record with Second Supplemental Petition No. 12 for the purpose of determining whether Minimum Rate Tariff No. 6 should be amended to include therein the rate proposed by petitioner for the transportation of fuel oil from Shell Point to Avon and Martinez and points within one mile of Martinez; and from Martinez to points within one mile thereof. The question of whether this type of rate should be established in the minimum rate tariffs is in issue in another proceeding.² Meanwhile, petitioner will be authorized to publish the proposed rate. The Order Setting Hearing will be held open.

Upon consideration of all the facts and circumstances of record, the Commission finds that the proposed rate is reasonable for the transportation involved.

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

² Case No. 5438 (Pet. No. 12) - George C. Smith, doing business as Smith Transportation Co.

February 17, 1958, a rate of $5\frac{1}{2}$ cents per 100 pounds applicable to the transportation of petroleum fuel oil in tank trucks from Shell Point to Avon; from Shell Point to Martinez and points within one mile of Martinez; and from Martinez to points within one mile thereof.

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

Dated at San Francisco, California, this 5th day of February, 1957.

Robert E. Mitchell
President
Raymond L. Interscience
R. H. Smith
E. L. Lister
Commissioners