

A. 41886-AC

ORIGINAL

Decision No. 59667

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CONSOLIDATED FREIGHTWAYS)
CORPORATION OF DELAWARE, a corporation,)
for authority to transport petroleum)
coke in bulk from Torrance to Wilmington,) Application No. 41886
California, at less than the established)
minimum rates.)

OPINION AND ORDER

Consolidated Freightways Corporation of Delaware holds radial highway common carrier, highway contract carrier and city carrier permits. It also holds certificates to operate as a highway common carrier and as a petroleum irregular route carrier between points not involved in this proceeding.

By this application filed January 25, 1960, authority is sought by Consolidated Freightways Corporation of Delaware, as a highway contract carrier, to transport petroleum coke, in bulk, from Torrance to Wilmington for the Great Lakes Carbon Corporation at rates lower than the prescribed minimum rates.

Authority similar to that herein sought was held by applicant's predecessor on reorganization, Consolidated Freightways, Inc., Lamb Tank Lines Division. That authority is scheduled to expire March 16, 1960. Authority is now sought to continue to deviate from the minimum rates until March 16, 1961.

Applicant alleges that the circumstances heretofore existing which justified the deviation when transportation was conducted by its predecessor continue to exist. It further alleges that in the event it is not permitted to continue such transportation in accordance with the proposed rates it may lose this traffic to proprietary trucking.

A cost study attached to the application indicates that a rate of 51 cents per ton for the first 220,000 tons in a twelve-month period and a rate of 46 cents per ton for tonnage in excess of 220,000 tons would return costs and provide a profit. Applicant alleges that to the extent the authorized minimum rates exceed these amounts, they appear to be unjust and unreasonable.

The Transportation Division staff has reviewed the verified application and has recommended that it be granted.

In the circumstances, it appears, and the Commission finds, that the aforementioned rates are reasonable. The application will be granted. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED:

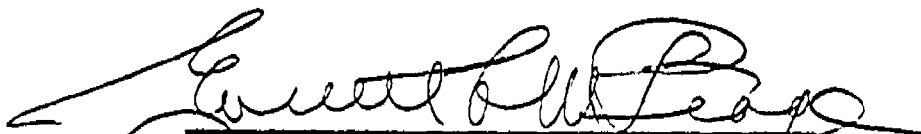
(1) That Consolidated Freightways Corporation of Delaware is hereby authorized to transport petroleum coke, in bulk, from Torrance to Wilmington for the Great Lakes Carbon Corporation at less than the established minimum rates, but not less than 51 cents per ton for the first 220,000 tons transported in the twelve-month period from March 16, 1960, to March 16, 1961, and 46 cents per ton for each ton in excess of 220,000 tons.

(2) That the authority herein granted shall expire March 16, 1961, unless sooner canceled, changed or extended by order of the Commission.


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

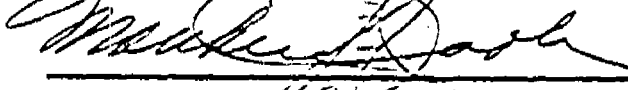
Dated at San Francisco, California, this 16th day of February, 1960.



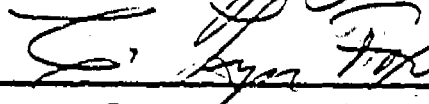
President



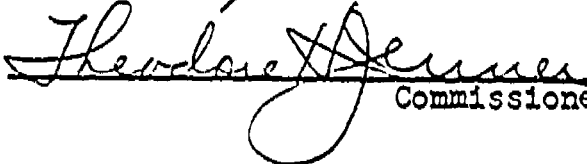
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Commissioners