

Decision No. 60230

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
Encinal Terminals, Howard Terminal,	)	
and Parr-Richmond Terminal Company	)	
for a declaratory order that their oper-	)	Application No. 42132
ations are not those of a public utility)	)	
or wharfinger subject to the Public	)	
Utilities Code.	)	

OPINION AND ORDER

By this application, filed April 8, 1960, applicants seek authority to cancel their public utility wharfinger tariffs applicable on intrastate traffic.

Applicants state that over the years intrastate vessel transportation has gradually diminished and in recent years has been discontinued except for the movement of bulk liquid cargo consisting of petroleum and petroleum products. It is alleged that, as a result, the services which applicants have held themselves out to perform have, during approximately the past ten years, been confined to property moving in interstate or foreign commerce.

Applicants aver that by reason of the complete absence of California intrastate commerce over their facilities they should no longer be considered public utility wharfingers within the meaning of Sections 216 and 242 of the California Public Utilities Code.

The application shows that on or about April 11, 1960, a copy thereof was served upon the Chambers of Commerce of Alameda, Richmond and Oakland, Port of Oakland, and California Association of Port Authorities. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that public convenience and necessity does not require the operation of the applicants herein as public utility wharfingers. A public hearing is not necessary. The application will be granted.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That any and all operative rights of Encinal Terminals, Howard Terminal and Parr-Richmond Terminal Company, as public utility wharfingers, are hereby revoked.

(2) That Parr-Richmond Terminal Company is hereby authorized to cancel its Terminal Tariff No. 3, Cal.P.U.C. No. 3, issued in series of Parr-Richmond Terminal Corporation.

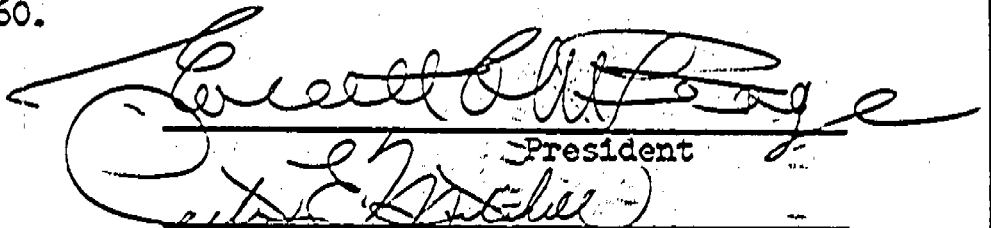
(3) That H. C. Cantelow, Agent, is hereby authorized to cancel the participation of Encinal Terminals and Howard Terminal in Marine Terminal Association of Central California Terminal Tariff No. 1, Cal.P.U.C. No. 1.

(4) That the authority herein granted shall expire unless exercised within ninety days after the effective date of this order.

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

Dated at San Francisco, California, this

10th day of June, 1960.

  
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President

  
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Commissioners