

61783

ORIGINAL

Decision No. _____

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)	Case No. 5436
carriers relating to the transportation)	Petition for Modification
of petroleum and petroleum products in)	No. 40
bulk (commodities for which rates are)	
provided in Minimum Rate Tariff No.6).)	

OPINION AND ORDER

By Decision No. 61462, dated February 7, 1961, in Case No. 5436, the Commission established in Minimum Rate Tariff No. 6 certain vehicle-unit volume-tender rates for the transportation of gasoline and petroleum fuel oil distillate. These rates were established for a trial period to expire with September 25, 1961.

By this petition, filed February 24, 1961, Acme Transportation, Inc., a highway common carrier and petroleum irregular route carrier, seeks authority to publish identical rates for the transportation of residual fuel oil between certain points, with the same¹ expiration date.

In justification of its proposal, petitioner alleges that the transportation of residual fuel oil under the proposed rates is a potential new movement of large volume which will require the use of some 12 truck and trailer loads per day; that unloading can be accomplished 24 hours per day, 6 days a week; that the proposed rates have already been found to be reasonable for gasoline and petroleum fuel oil distillate; that the transportation characteristics of residual fuel oil do not vary much from those of petroleum fuel oil

¹

Petitioner would make the rates applicable from "Group 2", which includes San Leandro, Oakland, Richmond, Crockett and Martinez, to Sugarfield and Manteca. Certain "24-hour" rates in the minimum rate tariff are not proposed by petitioner.

distillate; and that the value of the commodity of residual fuel oil is less than that of either gasoline or petroleum fuel oil distillate. Appended to the petition are copies of letters from Standard Oil Company of California and from Spreckels Sugar Company which urge that Acme Transportation Company, Inc., be authorized to establish the proposed rates.

The petition shows that on or about February 23, 1961, a copy thereof was served on interested parties, including the California Trucking Associations, Inc. California Trucking Associations, Inc., has informed the Commission by letter that it will have no objection to the Commission disposing of the matter by ex parte action. The Transportation Division staff has reviewed the verified petition and recommends that it be granted.

Upon consideration of all of the facts and circumstances, the Commission is of the opinion and finds that petitioner's proposals, for the period specified, are reasonable and justified by transportation conditions. A public hearing may be scheduled for the receipt of evidence in the event of a request for extension of the expiration date beyond the proposed trial period.

Therefore, good cause appearing,

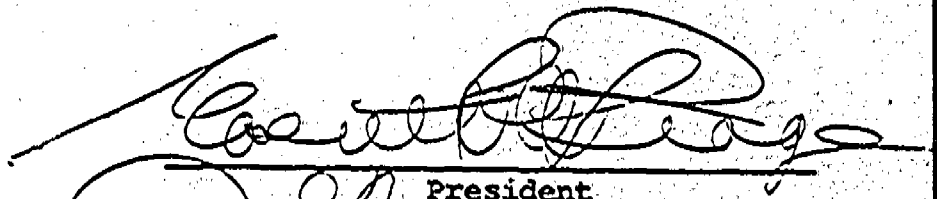
IT IS ORDERED:

(1) That, except for the 24-consecutive-hour rate, Acme Transportation, Inc., a corporation, is authorized, on not less than five days' notice to the Commission and to the public, to publish the same rates, rules and regulations established by Decision No. 61462, dated February 7, 1961, in Case No. 5436, Petition for Modification No. 37, to expire September 25, 1961, for the transportation of residual fuel oil from points located in Group 2 as described in Minimum Rate Tariff No. 6 to Sugarfield and Manteca.

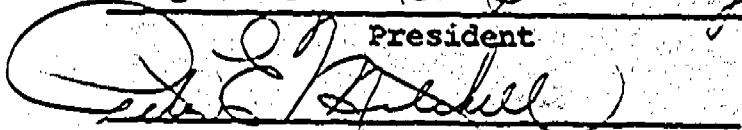
(2) That Acme Transportation, Inc., a corporation, is hereby authorized to depart from the long-and-short-haul provisions of Section 460 of the Public Utilities Code and Article XII, Section 21, of the Constitution of the State of California, to the extent necessary to exercise the authority granted herein.


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

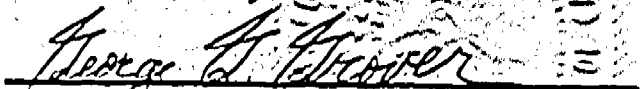
Dated at San Francisco, California, this 4th day of April, 1961.



President









Commissioners