

**ORIGINAL**

Decision No. 62365

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 relat- )  
ing 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 for Modification  
No. 51  
(Filed December 6, 1961)  
(Amended December 11, 1961)

OPINION AND ORDER

By Decision No. 60896 dated October 18, 1960, following a public hearing, Acme Transportation, Inc., a highway common carrier, was authorized to publish and file a rate of 4½ cents per 100 pounds on petroleum flux (asphalt-base crude petroleum residue) from Oleum to Emeryville. The rate was made subject to a specified minimum tonnage per annum and to a minimum weight per load equal to the legal carrying capacity of carrier's equipment utilized. The authorized rate is lower than the otherwise-applicable minimum rate. The rate was made subject to an expiration date of June 30, 1961, which subsequently was extended to December 31, 1961.<sup>1</sup>

By the petition, as amended, authority is sought to postpone the expiration date of the rate in question for an additional year.

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<sup>1</sup> Decision No. 62112, dated June 6, 1961, in Case No. 5432, Petition No. 42.

According to the petition, as amended, petitioner has experienced increased wages under a labor contract negotiated during 1961. Petitioner alleges that the labor increases which have become effective are not sufficiently high to cause the rates heretofore authorized to become unreasonably low. Petitioner declares that the current rate is still a reasonable rate under the labor contract which will remain in effect for the forthcoming year.

The petition shows that on or about December 6, 1961, a copy thereof was served on various interested parties including the California Trucking Associations, Inc. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rate is reasonable and justified by transportation conditions. A public hearing is not necessary. The sought authority will be granted. Due to the expiration date of the current deviation the following order will be made **effective on the date hereof.**

Good cause appearing,

IT IS ORDERED that:

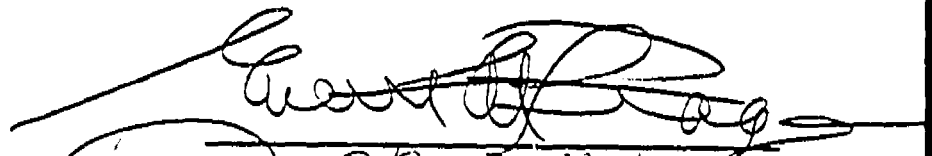
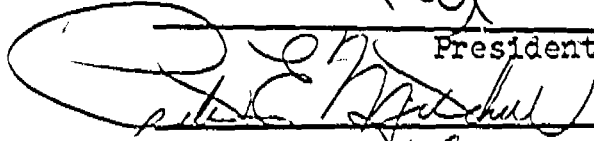
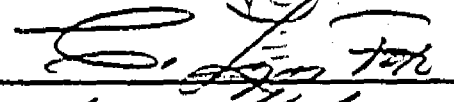
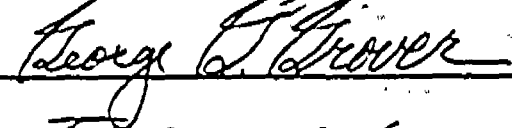
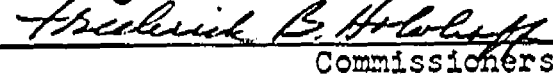
(1) Acme Transportation, Inc., a corporation, is hereby authorized to publish and file, and to make effective on not less than two days' notice to the Commission and to the public, a rate of  $4\frac{1}{2}$  cents per 100 pounds on petroleum flux (asphalt-base crude petroleum residue) from Oleum to Emeryville, subject to a minimum quantity of 35,000 tons per annum and to a minimum weight per load equal to the legal carrying capacity of carrier's equipment utilized, and not subject to the minimum charges otherwise provided in petitioner's tariff. The rate shall be published to expire with December 31, 1962.

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(2) The authority herein granted shall, on and after the effective date hereof, supersede the authority granted by Decision No. 62112 and shall expire with December 31, 1962.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of December, 1961.

  
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President  
  
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Commissioners