

ORIGINAL

Decision No. 63380

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 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 for Modification
No. 53
(Filed January 17, 1962)

OPINION AND ORDER

Acme Transportation, Inc., operates as a highway common carrier of petroleum products. By Decision No. 61783, as amended by Decision No. 62567, issued in Case No. 5436, it was authorized to publish rates less than the established minimum for the transportation of residual fuel oil between certain California points.¹ The rates were established for a trial period and are published to expire with March 25, 1962.

Petitioner now seeks authority to extend the above authority for a one-year period, to increase the currently authorized additional charge per hour, or fraction thereof, from \$4.25 to \$4.50, and to publish the rates on not less than five days' notice to the Commission and to the public.

The rates herein involved are similar to those established in Minimum Rate Tariff No. 6 for the transportation of gasoline and petroleum fuel oil distillate by Decision No. 61462 dated February 7, 1961, as amended by Decisions Nos. 62425 and 63188. These rates have been extended to expire June 30, 1962.

¹ The authorized rates are vehicle unit volume tender rates applicable from San Leandro, Oakland, Richmond, Crockett, Martinez and related points to Sugarfield and Manteca.

The petition alleges that, except for increased wage rates, the conditions which prevailed to warrant granting the current authority still prevail; that, based upon its experience in the performance of this transportation, petitioner is satisfied that the rates as proposed are compensatory; that this traffic is very important to petitioner; and that the availability of such transportation with the modification proposed is dependent upon the continuance of the current authority.

The petition shows that, on or about January 16, 1962, a copy thereof was served on 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 continuation of the current authority with the proposed modification and an expiration date of June 30, 1962, which is the expiration date of the Minimum Rate Tariff No. 6 rates for similar services on gasoline and fuel oil distillate, is reasonable and justified by transportation conditions. A public hearing is not necessary.

In view of the expiration date of the current authority the order which follows will be made effective on the date hereof.

Good cause appearing,

IT IS ORDERED that:


(1) Except for the 24-consecutive-hour rate, Acme Transportation, Inc., a corporation, is authorized, on not less than ten days' notice to the Commission and to the public, to publish the vehicle unit volume tender rates, rules and regulations established in Minimum Rate Tariff No. 6 by Decision No. 61462, dated

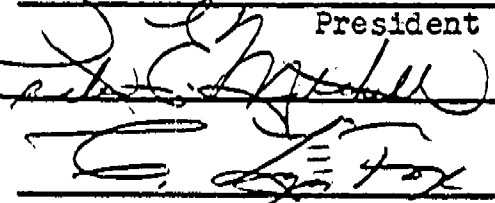
February 7, 1961, (Petition No. 37), as amended by Decisions Nos. 62425 (Petition No. 45) and 63188 (Petition No. 50), to expire with June 30, 1962, for the transportation of residual fuel oil from points located in Group 2 as described in Minimum Rate Tariff No. 6 to Sugarfield and Manteca.

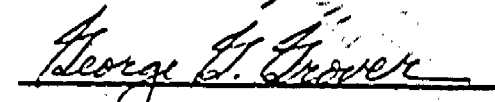
(2) Acme Transportation, Inc., a corporation, is hereby authorized to depart from the long-and-short-haul provisions of Section 460 of the Public Utilities Code, and Article XII, Section 21, of the Constitution of the State of California, to the extent necessary to exercise the authority granted herein.

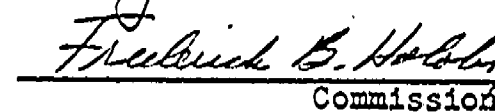
This order shall become effective on the date hereof.

Dated at San Francisco, California, this 6th day of March, 1962.



President


E. L. Fox


George H. Grover


Frederick B. Hallock
Commissioners