

ORIGINAL

Decision No. 65471

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of)	
SOUTH SAN FRANCISCO TERMINAL COMPANY,)	
a California corporation, for)	Application No. 45262
relinquishment of Public Utilities)	(Filed March 21, 1963)
Commission jurisdiction and)	
cancellation of tariff)	

OPINION AND ORDER

By this application South San Francisco Terminal Company, a California corporation, seeks authority to cancel its public utility wharfinger tariff applicable at South San Francisco.¹

Applicant states that it owns one wharf in the City of South San Francisco; that this facility supports a pipeline leading from the San Bruno Canal to the fuel storage tanks of Bethlehem Steel Company situated nearby applicant's wharf; and that such facility is so constructed that it cannot serve any party other than Bethlehem Steel Company. Applicant alleges that it is not presently engaged in furnishing service to the public and has not been so engaged for the past five years; that during the past five years the only party making use of the above-mentioned facility has been Bethlehem Steel Company; and that such use has been infrequent and

¹ The tariff involved is South San Francisco Terminal Company, Local Wharfage Tariff No. 4, Cal.P.U.C. No. 4. The tariff was issued under special permission No. 15-26706, effective March 3, 1948.

has consisted solely of transporting bulk liquid commodities through said pipeline.

Applicant alleges that its present activities and its activities during the past five years do not constitute a dedication of its facilities to public use and that inasmuch as only bulk liquid commodities have passed over applicant's wharf during the past five years, it is not a "wharfinger" as defined in Section 242 of the Public Utilities Code.

Attached to the application as Exhibit B is a letter from Bethlehem Steel Company stating in effect, that it has occasionally, but infrequently, made use of applicant's facility over the past few years; that it has no knowledge of such facility having been used by any other members of the public during said period; that Bethlehem Steel Company has not received oil through the facility involved for several months; that it is not anticipated that it will do so in the foreseeable future; and therefore, it has no objection to the granting of the application.

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

Good cause appearing,

IT IS ORDERED that:

1. Any and all operative rights of South San Francisco Terminal Company as a public utility wharfinger are hereby revoked.

2. South San Francisco Terminal Company Local Wharfage
Tariff No. 4, Cal.P.U.C. No. 4, is hereby canceled.

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

Dated at San Francisco, California, this 25th day of
May, 1963.

John E. Dattithell President
John E. Dattithell Acting President
Fredrick B. Holshoff
William W. Bennett

Commissioners

Commissioner George G. Grover, being
necessarily absent, did not participate
in the disposition of this proceeding.

Commissioner Everett C. McKeage, being
necessarily absent, did not participate
in the disposition of this proceeding.