

ORIGINAL

Decision No. 70225

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 No. 47)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 63187, dated January 26, 1962, in this proceeding, authorized Reliable Transportation Company and Allyn Tank Line Inc., to publish a less-than-minimum rate of 10½ cents per 100 pounds for the transportation of residual fuel oil from the refinery of The Rothschild Oil Company at Santa Fe Springs to the mills of Kaiser Steel Corporation near Fontana. This authority and the rate involved have not been reviewed since 1962. Other common carriers maintain this rate in their tariffs under the alternative use of common carrier rates. Meanwhile the minimum rate applicable to this transportation has been increased on two occasions.

The rate in question was based upon conditions as they were shown to exist at the time the petition in this proceeding was filed. Whether or not there is a continued justification for this rate deviation is a matter which the interested parties should establish. The Commission has consistently held in decisions authorizing deviations from the minimum rates that the authorized rates shall be limited for a stated period, normally one year, so that the propriety of such rates can be reviewed under current conditions.¹

¹See Decisions Nos. 30960 in Application No. 21909, 44281 in Case No. 4808, 48756 in Cases Nos. 4808 and 5436, and 64248 in Application No. 44382, dated June 6, 1938, June 7, 1950, June 24, 1953 and September 11, 1962, respectively.

In the circumstances, it appears, and the Commission finds, that the rate in question should be reviewed in the light of current conditions. The Commission concludes that Decision No. 63187, supra, should be amended to provide for termination of the authority therein subject to modification or extension as required and that other common carriers maintaining this rate for the transportation involved should be directed to amend their tariffs accordingly.

IT IS ORDERED that:

1. Decision No. 63187, dated January 26, 1962, is hereby amended to provide that the authority granted therein shall expire with January 31, 1967, unless sooner canceled, changed or extended by order of the Commission.

2. Common carriers maintaining, under outstanding authorizations permitting the alternative use of common carrier rates, a rate below the specific minimum rate level otherwise applicable for the transportation involved herein are hereby required and directed to publish in their tariffs an expiration date of January 31, 1967, in connection with such rate.

3. Tariff publications required to be made by common carriers as a result of the order herein shall be made effective not earlier than the tenth day after the effective date of this order, on not less than ten days' notice to the Commission and to the public and shall be made effective not later than sixty days after the effective date of this order.

4. In all other respects, Decision No. 63187, as amended herein, shall remain in full force and effect.

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

Dated at San Francisco, California, this 11th day of January, 1966.

Frederick B. Holdcroft
President
Paul E. Mitchell
George J. Grover
Augustus
William B. Bennett
Commissioners