

**ORIGINAL**

Decision No. 70596

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application	)	
of PETROLEUM TANK LINE, A CALIFORNIA	)	
CORPORATION, to continue to charge	)	
less than the minimum rates estab-	)	Application No. 48254
lished by the California Public	)	(Filed February 14, 1966)
Utilities Commission as authorized	)	
in Section 3666 of the Public	)	
Utilities Code of the State of	)	
California.	)	

OPINION AND ORDER

Petroleum Tank Line, a corporation, holds radial highway common carrier and highway contract carrier permits. By Decision No. 68937 dated April 20, 1965, in Application No. 47407, it was authorized to assess hourly rates in lieu of the established minimum rates in cents per 100 pounds for the transportation of welding equipment and welding supplies from Sacramento to Chico for Moore Brothers. The current authority is scheduled to expire with April 20, 1966. By this application, authority is sought to continue the deviation from the minimum rates and charges otherwise applicable.

Applicant alleges that the type of transportation service it furnishes the shipper under the present authority is different from the type of service normally offered under the Commission's minimum rates. Applicant furnishes the tractor and the driver; the

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<sup>1</sup> Applicant also transports petroleum and petroleum products in tank trucks as a highway common carrier and as a petroleum irregular route carrier. Such operating authorities are not involved herein.

shipper furnishes and maintains its own trailer and performs the loading exclusively at Sacramento. Applicant's driver only assists with the unloading at Chico. The one-way mileage between applicant's yard in Sacramento and the point of delivery in Chico is about 93.5 miles, and approximately one round trip per week is made by applicant in performing this transportation service.

Applicant states that the actual weights of the separate commodities comprising each shipment are not known and it would be burdensome to the shipper to ascertain such weights if minimum rates were applied. The simplified billing procedures currently employed for this transportation assertedly result in substantial economies to both the shipper and the carrier.

According to the application, no competition exists for this traffic inasmuch as no other carrier is engaged in this specialized transportation service. It is asserted that the shipper previously performed the transportation service itself and is in a position to do so again if the sought rate authority is not granted.

Revenue and expense data submitted by applicant indicate that the transportation involved has been profitable and reasonably may be expected to be profitable in the future.

The verified application shows that a copy thereof was mailed to California Trucking Association on or about February 11, 1966. The application was listed on the Commission's Daily Calendar of February 15, 1966. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable for the transportation service involved. A public hearing is not necessary. The Commission

concludes that the application should be granted. However, as the transportation conditions involved may change, the authority will be made to expire at the end of one additional year, unless sooner canceled, changed or extended by order of the Commission.

In view of the impending expiration date of the current authority, the order which follows will be made effective on April 20, 1966.

IT IS ORDERED that:

1. Petroleum Tank Line, a corporation, operating as a highway contract carrier, is authorized to transport welding equipment and welding supplies for Moore Brothers from Sacramento to Chico at rates different than the minimum rates but not less than those specified in, and subject to the conditions set forth in, Appendix A attached hereto and by this reference made a part hereof.
2. The authority herein granted shall, on and after April 20, 1966, supersede the authority granted by Decision No. 68937, and shall expire with April 20, 1967.

The effective date of this order shall be April 20, 1966.

Dated at San Francisco, California, this 19th day of April, 1966.

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President  
*George H. Hoover*  
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*William W. Bennett*  
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*Auguston*  
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Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.

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Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

1. Petroleum Tank Line, a corporation operating as a highway contract carrier, is authorized to transport welding equipment and welding supplies for Moore Brothers from Sacramento to Chico at rates different than the minimum rates but not less than the following:

\$10.50 per hour running time Sacramento to Chico and return.

\$ 5.50 per hour for the time the tractor is standing by for loading or unloading of the trailer.

2. The rates authorized by paragraph 1 are to be applied only when the following conditions are observed in connection therewith.

- (a) Applicant shall furnish tractor and driver only.
- (b) Trailer shall be furnished and maintained by Moore Brothers.
- (c) Trailer shall be loaded by the aforesaid shipper.
- (d) Applicant's driver shall assist in unloading of trailer at Chico only.
- (e) Running time shall be computed from departure of carrier's equipment from carrier's terminal at Sacramento until arrival at point of destination and from point of destination until return to carrier's terminal at Sacramento.
- (f) Standby time is that which elapses while carrier's tractor remains idle by reason of loading or unloading of shipper's trailer.
- (g) Time taken by carrier's driver for meals shall not be included in the time on which the rates hereinabove authorized are assessed.
- (h) Fractions of an hour shall be computed in accordance with the following table:

<u>Over</u>	<u>But Not Over</u>	<u>Use</u>
0 Minutes	8 Minutes	Omit
8 Minutes	23 Minutes	$\frac{1}{2}$ Hour
23 Minutes	38 Minutes	$\frac{1}{2}$ Hour
38 Minutes	53 Minutes	$\frac{3}{4}$ Hour
53 Minutes	60 Minutes	1 Hour

- (i) Articles to be transported need not be itemized on the shipping documents. Each shipping document shall identify the property to be transported thereunder as "welding equipment and/or welding supplies."

(End of Appendix A)