

ORIGINALDecision No. 70714

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SOUTHERN TANK LINES, a corporation, to sell, and REID OIL COMPANY, a California corporation, SOUTHERN TANK LINES, a California corporation, and PETROLEUM EXCHANGE CORPORATION, a California corporation, a copartnership, doing business as SOUTHERN TANK LINES COMPANY, to purchase a certificate of public convenience and necessity to operate as a highway common carrier in the transportation of petroleum and petroleum products within the State of California.

Application No. 48337
(Filed March 22, 1966)

O P I N I O N

On or about September 1, 1963, Southern Tank Lines, a corporation, (Southern) transferred a certificate of public convenience and necessity to operate as a petroleum irregular route carrier to a copartnership consisting of Reid Oil Company, a corporation, Southern Tank Lines, a corporation, and Petroleum Exchange Corporation, a corporation, doing business as Southern Tank Lines Company (Company). The transfer was made for a cash consideration of \$1,300 and without knowledge that such transfer was subject to authorization by this Commission. Authorization is now sought and it is requested for accounting purposes that it be made effective as of January 1, 1966.

The said certificate was issued pursuant to Decision No. 44729 in Application No. 31176 and authorizes the transportation of petroleum and petroleum products. Southern acquired the certificate pursuant to Decision No. 48093, dated December 22, 1952, in Application No. 33917. As of January 31, 1966 Company indicated a net worth in the amount of \$459,915.

In issuing certificates, where it appears that there is an affiliation between carrier and shipper by reason of common ownership, management or control, the Commission specifies that not less than the applicable tariff rates shall be paid by such carrier to subhaulers engaged to carry property of the affiliated company or the property of the affiliated company's customers or suppliers.

After consideration the Commission finds that the transfer herein considered is not adverse to the public interest. Southern will be authorized to transfer the certificate of public convenience and necessity here involved to Company. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred.

ORDER

IT IS ORDERED that:

1. Southern Tank Lines may, on or before January 16, 1967, transfer and Reid Oil Company, Southern Tank Lines and Petroleum Exchange Corporation, doing business as Standard Tank Lines Company, a copartnership, may acquire the certificate of public convenience and necessity referred to in the foregoing opinion.
2. Within thirty days after the consummation of the transfer herein authorized, said purchasers shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any instrument which may be executed to effect such transfer.

3. Reid Oil Company, Southern Tank Lines and Petroleum Exchange Corporation, doing business as Standard Tank Lines Company, a copartnership, shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the common carrier operations herein to show that they have adopted or established as their own, said rates and rules. The tariff filings shall be made effective not earlier than thirty days after the effective date of this order on not less than thirty days' notice to the Commission and the public. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-A.

4. Within three months after the effective date hereof applicant purchasers shall cause to be filed with the Commission, in such form as it may prescribe, an annual report, or reports, covering the period commencing with the first day of the current year to and including the effective date of the transfer. ✓

5. Whenever Southern Tank Lines Company engages other carriers for the transportation of property of Reid Oil Company, a corporation, or Southern Tank Lines, a corporation, or Petroleum Exchange Corporation, a corporation, or Southern Tank Lines Company, a copartnership, or customers or suppliers of said corporations or partnership, Southern Tank Lines Company shall not pay such other

carriers rates and charges less than rates and charges published in Southern Tank Lines Company's tariffs on file with this Commission.

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

Dated at San Francisco, California, this 17th day of MAY, 1966.

Frederick B. Hallock
President

John E. Mitchell

George E. Glover

William A. Beard
Commissioners