

ORIGINAL

Decision No. 74033

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of PACIFIC INLAND NAVIGATION
COMPANY, INC., a corporation, for
a permit to operate as a for-hire
vessel.

Application No. 50127
(Filed April 1, 1968)

O P I N I O N

Applicant is a Washington corporation having a certificate of qualification to do intrastate business in California, issued by the Secretary of State of California. Copies of its articles of incorporation and of the California certification are annexed to the application.

Applicant has entered into a contract with Tom M. Hess, Inc., a California corporation, a copy of which is also annexed to the application. From this contract it appears that Hess has chartered two barges of 8,790 and 7,740 short tons dead weight capacity. It proposes to use these to transport fill material from the neighborhood of Rio Vista to the neighborhood of Stockton. It is agreed that 5,600,000 tons of this material will be tendered.

Applicant, which has been operating on the Columbia River and the Ocean, represents in the contract that it has two towboats of 3,000 and 2,400 horsepower, respectively. If a permit is granted these will be moved by Pacific Inland to Stockton or Rio Vista. Each party will carry the insurance on the vessels owned or chartered by it.

Applicant (Pacific Inland) has a certificate, No. W-690, from the Interstate Commerce Commission for service between Oregon,

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Washington and California on the Pacific Ocean and between the first two states on the Columbia River.

Applicant seeks to commence operations by May 1, 1968. Therefore, the following order will be made effective on its date and tariff filings will be allowed on short notice.

Applicant's application appears to meet the statutory requirements and the application should be granted. The permit will be restricted to towing service only.

The Commission finds that:

1. Applicant is not an intrastate common carrier in California.
2. Application No. 50127 as amended complies with Section 4533 of the Public Utilities Code.
3. Applicant proposes to operate on specified inland waters in this State, two vessels of the type described in Section 4507 of the Public Utilities Code.
4. A public hearing is not necessary.

The Commission concludes that a permit should be granted for towing service only as provided by the following order.

O R D E R

IT IS ORDERED that:

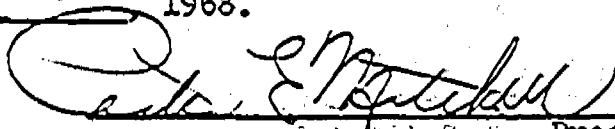
1. A for-hire vessel permit is issued to Pacific Inland Navigation Company, Inc., authorizing it to operate two towboats in towing service only between the points and subject to the conditions indicated in Appendix A hereto attached.

2. In providing service pursuant to the permit herein granted, applicant shall comply with and observe the following service regulations. Failure so to do may result in a cancellation of the operating authority granted by this decision.

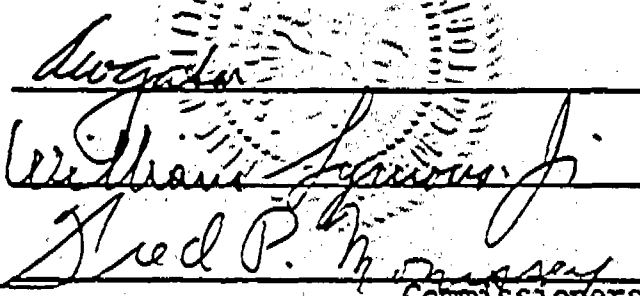
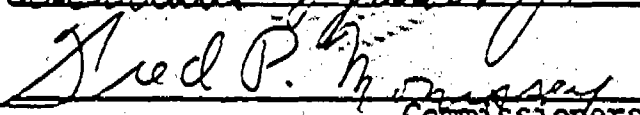
- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the permit herein granted.
- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs, in triplicate, in the Commission's office.
- (c) The tariff filings shall be made effective not earlier than two days after the effective date of this order on not less than two days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the establishment of the service herein authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 117.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 23rd day of APRIL 1968.



President

Commissioners

Appendix A PACIFIC INLAND NAVIGATION COMPANY, INC. Original Page 1

Pacific Inland Navigation Company, Inc., by the for-hire vessel permit granted by the decision noted in the margin, is authorized to provide transportation of property only for Tom M. Hess, Inc., in barges provided by Hess, as hereinafter provided:

VESSELS:

- | | |
|---------------------------|------------------|
| 1. Towboat "INLAND CHIEF" | 3,000 horsepower |
| 2. Towboat "RAMPANT" | 2,400 horsepower |

ROUTES:

From Rio Vista to Stockton, via:

1. Sacramento River, 3-Mile Slough, San Joaquin River.
2. Alternate: Sacramento River, San Joaquin River.

RATES:

When the transportation performed is:

Fourteen trips or less per week - 15 cents per ton.
Fifteen trips or more per week - 20 cents per ton.

Free time allowance to load and unload: 7 hours.

Tom M. Hess, Inc. shall be allowed 7 hours free time to load and unload each barge. An accurate record shall be kept of the moorage time of each of the barges confirmed by time records jointly signed by representatives of both parties. Based on these reports, there shall be an accounting at the end of each month of the total moorage time of the barges for loading and unloading operations. The total barge loads transported during the month shall be multiplied by 7 to determine total free time allowed Hess. In the event that actual time differs from allowed free time, then notwithstanding any other payment hereunder, Hess shall pay Pacific Inland Navigation Company, Inc., \$42.50 per hour as demurrage for each hour of delay time and Pacific shall credit Hess as dispatch at the same rate for any time saved.

Issued by California Public Utilities Commission.

Decision No. 74033, Application No. 50127.