

Decision No. 75698**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
 ACME TRANSPORTATION, INC.,)
 a corporation, for authority to)
 depart from minimum rates, rules)
 and regulations applicable in con-)
 nection with certain transportation)
 to be performed for Collier Carbon)
 and Chemical Corporation.)

Application No. 51035
 (Filed April 28, 1969)

OPINION AND ORDER

Acme Transportation, Inc., a corporation, operates in California under various authorities issued by this Commission. By Decision No. 74212, dated June 5, 1968, in Application No. 50198, it was authorized to transport petroleum coke, in bulk, in hopper bottom and rear end dump trucks, as a radial highway common carrier, at rates less than the established minimum rates for Collier Carbon and Chemical Corporation (Collier) from the Union Oil Company refinery located at Oleum to Collier's plants located at Collier, a point three miles southeast of Rodeo on State Highway 4, and at Rodeo. Said decision also authorized applicant to submit its billing for such transportation to Collier on a monthly basis rather than a weekly basis as required by Item 250-A of Minimum Rate Tariff No. 2. The current authority is scheduled to expire with June 30, 1969.

By this application, applicant requests an additional one-year extension of the current authority in connection with the transportation from Oleum to Collier only. The application states that the conditions which justified the deviation authority from Oleum to Rodeo no longer exist.

Applicant avers that the circumstances which justified the granting of the current authority for the transportation from Oleum to Collier continue to exist and that transportation under said authority is fully compensatory. Revenue and expense data furnished by applicant indicate that said transportation has been profitable. It may reasonably be expected to be profitable during the ensuing year.

The certificate of service shows that a copy of the application was mailed to California Trucking Association on April 25, 1969. The application was listed on the Commission's Daily Calendar of April 29, 1969. No objection to the granting of this application has been received.

In the circumstances, the Commission finds that the proposed deviation is reasonable for the transportation in issue. A public hearing is not necessary. The Commission concludes that the sought authority should be granted for a one-year period.

IT IS ORDERED that:

1. Acme Transportation, Inc., a corporation, is authorized to (a) transport petroleum coke, in bulk, from Oleum to Collier at a rate less than the applicable minimum rate but not less than that set forth, and subject to the conditions specified, in Appendix A attached hereto and by this reference made a part hereof, and (b) depart from the billing and credit provisions of Item 250-A of Minimum Rate Tariff No. 2 in connection with said transportation to the extent specified in said Appendix A.

2. The authority granted herein shall, on and after June 30, 1969, supersede the authority granted by Decision No. 74212 and shall expire with June 30, 1970.

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

Dated at Los Angeles, California, this 27th day of MAY, 1969.

William Aguirre Jr.
President

J. P. Williams

Thomas J. ...
Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

ACME TRANSPORTATION, INC.

Minimum Rate for the Transportation
of Petroleum Coke, in bulk, for
Collier Carbon and Chemical
Corporation.

(Ton means 2,000 pounds)

POINTS

From: The Union Oil Company refinery
Oleum
California

To: Collier Carbon and Chemical Corporation
Collier
California

EQUIPMENT

Hopper bottoms, gravity loaded and unloaded

AUTHORIZED RATE

31.75 cents per ton
Minimum weight 27 tons per shipment

BILLING

A monthly bill will be submitted to the shipper covering service performed during the preceding month, which billing must be paid by shipper within seven (7) days after billing date.

(End of Appendix A)