

Decision No. 79569

ORIGINAL

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 and highway car-)
riers relating to the transportation)
of property by vacuum-type and pump-)
type tank vehicles (including trans-)
portation for which rates are provided)
in Minimum Rate Tariff 13).

Case No. 6008
Petition for Modification No. 16
Order Granting Rehearing
Decision No. 79040
(Dated August 24, 1971)

Richard W. Smith and A. D. Poe, Attorneys at Law,
and H. F. Kollmyer, for California Trucking
Association; petitioner.
Winton Jones, for Winton Jones Contractor, Inc.;
T. A. L. Loretz, for Routh Transportation, Fix
& Brain Vacuum Truck Service, and Kyle O. Mayes
Co., Inc.; James H. Lyons, for Wm. H. Hutchinson
& Sons Service Co. and East Bay Oil Recovery
Corp.; Ottis E. Pittman, for Ott's Vacuum Truck
Service; respondents.
J. W. Bohannon, for Mobil Oil Corporation; Otha B.
Brooks, for Shell Oil Company; Jack M. Sandell,
for Collier Carbon & Chemical Corp. and Union
Oil Company; protestants.
Charles H. Bolstad, for Atlantic Richfield Company;
R. S. Greitz, for Western Motor Tariff Bureau,
Inc.; W. G. Hatcher, for Standard Oil Co. of
California and Chevron Chemical Co.; Bob Justice,
for Oscar E. Erickson, Inc.; interested parties.
Robert W. Stich and Leonard Diamond, for the Commis-
sion staff.

OPINION ON ORDER GRANTING REHEARING OF DECISION NO. 78842

Pursuant to the Commission's order in Decision No. 79040, a rehearing of its Decision No. 78842, dated June 22, 1971, in Case No. 6008 (Petition for Modification No. 16), was held on December 2, 1971, before Examiner Gagnon in Los Angeles. Said rehearing was scheduled to be heard on a common record with Petition for Modification No. 17, filed November 15, 1971, in Case No. 6008.

At the hearing petitioner for reconsideration and/or rehearing of Decision No. 78842 had no evidence to present in support of its position concerning Petition for Modification No. 16 and/or the Commission's Decision No. 78842 relative thereto. It was explained that petitioner's interests would now be best served by restricting its participation in this proceeding to the issues involved in Petition for Modification No. 17. In the absence of any evidence and/or further interest by the parties in the Commission's Order Granting Rehearing Decision No. 79040, said matter was submitted for final disposition.

In the circumstances, the Commission finds that its order in Decision No. 78842 should be affirmed and concludes that its Order Granting Rehearing Decision No. 79040 should be vacated.


O R D E R

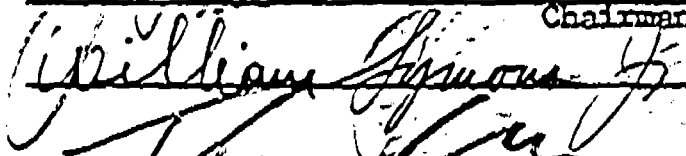
IT IS ORDERED that:

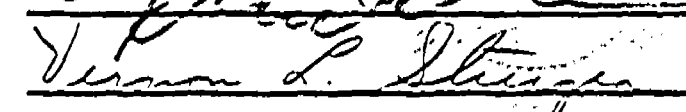
1. The Commission's order in Decision No. 78842, dated June 22, 1971, in Case No. 6008 (Petition for Modification No. 16), is hereby affirmed.
2. The Commission's Order Granting Rehearing Decision No. 79040, dated August 24, 1971, in Case No. 6008 (Petition for Modification No. 16), is hereby vacated.


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

Dated at San Francisco, California, this 11th
day of JANUARY, 1972.



Chairman






Commissioners