

Decision No. 85232

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation
for the purpose of considering
and determining minimum rates for
transportation of petroleum and
petroleum products in bulk, in tank
truck equipment statewide as
provided in Minimum Rate Tariff 6-B
and the revisions or reissues thereof.

Case No. 5436
Petition for Modification
No. 198
(Filed November 7, 1975)

O P I N I O N

Petitioner Acme Transportation, Inc., a petroleum irregular route carrier, seeks authority to publish a less than minimum rate of 66 cents per 100 pounds, minimum weight 53,500 pounds, for the round-trip transportation of certain petroleum products in bulk in tank trucks. Petitioner was authorized by Decision No. 83768 dated November 26, 1974 to publish a rate of 63 cents per 100 pounds for the same transportation service. That authority will expire December 15, 1975.

A study of the cost of performing the service was included as Exhibit IV to the petition. According to the study, petitioner can expect an operating ratio of 90.8 percent at the rate proposed.

The petition was noticed in the Commission's Daily Calendar of November 12, 1975. No protests or requests for public hearing have been received.

We find the proposed rate is justified and conclude that the petition be granted as prayed for. The authority granted should be limited to a one-year period as the circumstances surrounding the transportation may change at any time.

O R D E R

IT IS ORDERED that:

1. Acme Transportation, Inc., a petroleum irregular route carrier, is authorized to publish and file in Western Motor Tariff Bureau, Inc., Local and Joint Freight and Express Tariff 18, Cal. P.U.C. 24, to expire December 15, 1976, rates for the transportation of petroleum and petroleum products in bulk in tank truck equipment as set forth, and subject to the conditions specified, in Appendix A of this decision.


2. Tariff filings required by this order shall be made effective not earlier than three days after the effective date of this order on not less than three days' notice to the Commission and the public.

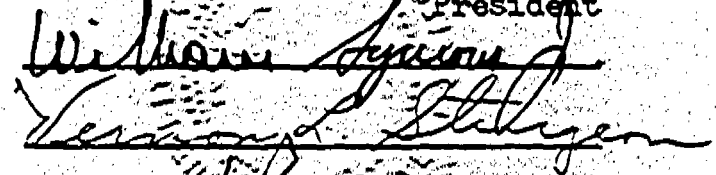
3. Acme Transportation, Inc. is authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to establish and maintain the rates authorized by this order.


4. The authority granted herein shall expire unless exercised within ninety days after the effective date of this order.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 9th
day of DECEMBER, 1975.



President




Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

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ACME TRANSPORTATION, INC.

RATES IN CENTS PER 100 POUNDS
Subject to Notes 1 and 2

<u>Commodity</u>	<u>Between</u>	<u>And</u>	<u>Rate</u>	<u>Min. Wt. In lbs.</u>
Petroleum and petroleum products as described in rate Groups A, B, C, D, or E of Item 41	All points located in Group 2 as described on page 5 series	All points located in Group 6 as described on page 7 series	\$.66	53,500

NOTE 1: Applies only when the carrier picks up and transports in the same unit of equipment an outbound and a return shipment in accordance with the following provisions:

- A.1. Bill of lading covering initial shipment must be claused "Shipment Tendered Under Provisions of Item _____", and must indicate the point of pickup of the return shipment.
2. Return bill of lading must make reference to original bill of lading by shipping point, number, and date.
- B. Charges for both shipments must be payable by the same debtor.
- C. The return shipment must be available for carrier pickup immediately upon completion of delivery of the initial shipment and at the demand of carrier.

NOTE 2: A. The rate in this item is subject to the following route (route applies in either direction):
From Group 2 via U.S. Interstate Highway No. 80 to its junction with State Route No. 17, thence via State Route No. 17 to its junction with State Route No. 238, thence via State Route No. 238 to its junction with U.S. Interstate Highway No. 580, thence via U.S. Interstate Highway No. 580 to its junction with U.S. Interstate Highway No. 5, thence via U.S. Interstate Highway No. 5 to the intersection of U.S. Interstate Highway No. 5 and U.S. Interstate Highway No. 405; thence via U.S. Interstate Highway No. 405 to Group 6.

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- B. The rates provided in this item will have intermediate application from, to, or between points along the route named in Note 2, paragraph A, and points one actual highway mile from such route only between Castaic and points in Group 6 and between Livermore and points in Group 2.