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Decision No. 85596

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

STANDARD OIL COMPANY OF CALIFORNIA,)

Complainant,)

vs.)

Case No. 9695

THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY,)

Defendant.)

SUPPLEMENTAL ORDER

In Decision No. 83545, as modified by Decision No. 83738, in this proceeding the Commission ordered defendant to pay:

"...to complainant as reparations the sum of the amounts it has collected from complainant from and including January 4, 1972 to the date of this order for demurrage on private cars held on the private tracks of complainant at its refineries in Richmond and El Segundo."

The date of the order was November 19, 1974.

In Petition for Reopening and Modification filed January 14, 1976, defendant states that it continued to assess and collect demurrage in accordance with its tariff on private cars held on the private tracks of complainant at its refineries in Richmond and El Segundo to and including June 1, 1975. Upon the latter date the tariff was amended to remove the application of such demurrage charges on California intrastate traffic. Defendant requests that the Commission amend its order in this case by authorizing it to pay to complainant as reparations the amount it has collected to June 1, 1975.


In this proceeding the Commission found that the collection by defendant of charges for demurrage on private cars owned or leased by complainant and held on the private tracks of complainant at its refineries in Richmond and El Segundo is unreasonable. Defendant should be directed to pay as reparations the sum of all such charges. The order herein will be amended accordingly. A public hearing is not necessary.

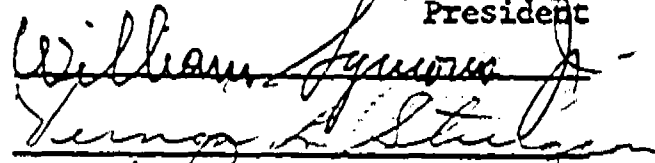
IT IS ORDERED that Decision No. 83545, as modified by Decision No. 83738, is amended by substituting for Ordering Paragraph 1 therein the following:


"1. Defendant, The Atchison, Topeka and Santa Fe Railway Company, a corporation, shall pay to complainant as reparations the sum of the amounts it has collected from complainant from and including January 4, 1972 to June 1, 1975 for demurrage on private cars held on the private tracks of complainant at its refineries in Richmond and El Segundo."


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

Dated at Los Angeles, California, this 23rd day of MARCH, 1976.



President






Commissioners