

d1m** a

Decision No. 86936

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

Case No. 5436
Petition for Modification
No. 221
(Filed September 14, 1976)

ORDER GRANTING PARTIAL REHEARING

A petition for rehearing and suspension of Decision No. 86523 was filed by California Trucking Association on October 29, 1976. The Commission having considered each and every allegation of the petition, and being of the opinion that good cause for partial rehearing has been made to appear,

IT IS ORDERED that:

1. Partial rehearing of Decision No. 86523 is granted, limited to a reconsideration of the record (as it exists or as it may be supplemented in the discretion of the assigned Commissioner and Examiner) for the purposes of determining (1) whether or not the granting of a less than a maximum reasonable rate to this applicant is required by the needs of commerce or the public interest and (2) whether or not it is designed to meet the competitive charges of other carriers or the cost of other means of transportation. If the record indicates that it is for the purpose of meeting the competitive charges of other carriers or the cost of other means of transportation, there shall also be a determination of whether or not the rate is justified by transportation conditions.
2. Said rehearing shall be undertaken as expeditiously as possible.

dlm* a

C. 5436, Pet. for Mod. No. 221

3. There shall be no suspension of the order pending rehearing since an examination of the equities involved indicates that a suspension in this case may cause economic harm to the applicant and shipper while no other person will be adversely affected by the order.

The Executive Director is directed to cause a copy of this order to be served upon Western Motor Tariff Bureau, Agent.

It is further directed that appropriate notice of the opportunity to submit additional evidence for the record shall be mailed at least ten (10) days prior to submission to the Commission.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 1st day of FEBRUARY, 1977.

*I dissent. I would grant
total rehearing.
William S. Lyons, Jr.*

Robert Babine

President

Thomas L. Sturgeon

Richard D. Swale

Commissioners