

ORIGINAL

Decision No. ~~87390~~ May 24, 1977

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)
 carriers relating to the transpor-) Case No. 5436
 tation of petroleum and petroleum) Petition for Modification No.252
 products in bulk (commodities for) (Filed May 9, 1977)
 which rates are provided in Minimum)
 Rate Tariff No. 6-B).)

OPINION AND ORDER

By Decision 85271, in Case No. 5436 (Petition for Modification No. 211), California Tank Lines, Inc. (California Tank) was authorized to publish a rate of 24 cents per 100 pounds, minimum weight 50,000 pounds, for the transportation of log wax, in bulk, from Oleum and Richmond to Stockton.¹ This rate, which is less than the Commission's established minimum rate for the aforementioned transportation, is scheduled to expire with June 1, 1977. By this petition, California Tank seeks to increase said rate to 26 cents per 100 pounds and publish such increased rate for a one-year period.

California Tank states that the rate increase will enable it to operate at a reasonable profit for the forthcoming year. California Tank avers that the shipper may resort to proprietary operations if it is not able to perform said transportation at the rate as herein proposed.

Revenue and expense data submitted by California Tank indicate that the transportation involved may reasonably be expected to be profitable under the proposed rate.

¹ Petitioner's rates are set forth in Western Motor Tariff Bureau, Inc., Agent, Local and Joint Freight and Express Tariff No. 18, Cal. P.U.C. No. 24.

The petition was listed on the Commission's Daily Calendar of May 10, 1977. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that:

1. California Tank Lines, Inc. currently publishes a rate of 24 cents per 100 pounds, minimum weight 50,000 pounds, on log wax, in bulk, from Oleum and Richmond to Stockton as set forth in Western Motor Tariff Bureau, Inc., Agent, Local and Joint Freight and Express Tariff No. 18, Cal. P.U.C. No. 24, pursuant to Decision 85871.

2. Decision 85871 found the rate referred to in Finding 1 hereof to be reasonable.

3. The proposed rate of 26 cents per 100 pounds, minimum weight 50,000 pounds, is reasonable and justified by transportation conditions.

4. The threat of proprietary transportation exists in connection with the transportation involved herein.

5. The needs of commerce and the public interest require the proposed rate be established.

6. Increases, which may result in the event the proposed rate should expire with June 1, 1978, are justified.

The Commission concludes that the petition should be granted to the extent indicated in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need for this rate relief. A public hearing is not necessary.

IT IS ORDERED that:

1. California Tank Lines, Inc., is authorized to publish and file to expire with June 1, 1978, a rate for the transportation of log wax, in bulk, as set forth, and subject to the conditions specified, in Appendix A attached hereto and by this reference made a part hereof.

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2. Tariff publications authorized to be made as a result of the order herein may be made effective on one day's notice to the Commission and to the public.

3. California Tank Lines, Inc., is authorized to depart from the provisions of Section 401.5 of the Public Utilities Code in establishing and maintaining the rate authorized herein. Schedules containing the rate published under this authority shall make reference to this order.

The effective date of this order is the date hereof.

Dated at Los Angeles, California, this 24th day of MAY, 1977.

I concur as to the conclusion but not as to the effective date hereof.
William Synovos Jr.
Commissioner

President

Vernon L. Sturgeon
Richard D. ...

Commissioners

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

APPENDIX A

Carrier: California Tank Lines, Inc., a corporation

Commodity: Log wax, in bulk

From: Oleum and Richmond

To: Stockton

Rate: 26 cents per 100 pounds

Minimum Weight: 50,000 pounds

Conditions:

1. Consignee shall make its premises available to enable the carrier to perform service on a 24-hour basis.
2. The commodity "log wax" shall be defined in the carrier's tariff.
3. The rate shall be made applicable only via the following routes:

From Richmond to Stockton

From Richmond southerly on State Highway 17 to its intersection with U.S. Highway 50 at San Leandro; thence easterly on U.S. Highway 50 to Stockton; or from Richmond northerly on U.S. Highway 80 to its intersection with State Highway 4 near Pinole; thence easterly on State Highway 4 to Stockton.

From Oleum to Stockton

From Oleum easterly on unnumbered highway to U.S. Highway 80 to its intersection with State Highway 4 near Pinole; thence easterly on State Highway 4 to Stockton.

4. In all other respects, the rates and rules in Western Motor Tariff Bureau, Inc., Agent, Local and Joint Freight and Express Tariff No. 18, Cal. P.U.C. No. 24, shall apply.

(END OF APPENDIX A)