

ORIGINAL

Decision No. 87978 OCT 12 1977

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. 221
 (Filed February 1, 1977)

OPINION AND ORDER

By Decision No. 86523 dated October 19, 1976, Western Asphalt Service, Inc. was authorized to establish less than maximum reasonable rates for the transportation of residual fuel oil from Richmond, on the one hand, to San Andreas and Redding, on the other hand. The rates are set forth in Item 555 of Western Motor Tariff Bureau, Inc., Local and Joint Freight and Express Tariff No. 18, Cal. P.U.C. No. 24.

By Decision No. 86936 dated February 1, 1977 partial rehearing of Decision No. 86523 was 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 Administrative Law Judge) 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.

By letter dated August 29, 1977, petitioner advised:

"We are not now hauling any fuel from Richmond to San Andreas.

"The plants both in San Andreas and Redding have been converted to coal and we see no conditions under which the above-mentioned haul will be resumed."

Since the transportation is no longer being conducted,
IT IS ORDERED that:

1. Western Asphalt Service, Inc. shall cancel the rates set forth in Item 555 in Western Motor Tariff Bureau, Inc., Local and Joint Freight and Express Tariff 18, Cal. P.U.C. No. 24 within five days after the effective date of this order.

2. Tariff filings required by this order shall be made effective on not more than five days' notice to the Commission and to the public.

3. Decision No. 86936 is vacated.

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

Dated at San Francisco, California, this 12th
day of OCTOBER, 1977.

Robert Bateman
President
William Agnew Jr.
Vernon L. Sturgeon
Richard D. Howell
Clair D. DeWitt
Commissioners