

ORIGINAL

Decision No. 92814 MAR 17 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Milmoe-Maxey Enterprises, Inc.,)
doing business as MAXI TRANSPORT-)
ATION CO. for a certificate of)
public convenience and necessity)
to conduct operations as a petro-)
leum irregular route carrier for)
the transportation of petroleum)
and petroleum products in tank)
trucks and tank trailers between)
all points in the State of Cali-)
fornia.)

Application No. 59978
(Filed September 30, 1980)

SUPPLEMENTAL OPINION AND ORDER

Decision 92537, dated December 16, 1980, in this proceeding granted a certificate of public convenience and necessity as a petroleum irregular route carrier of petroleum and petroleum products in tank equipment between all points in the State of California to Milmoe-Maxey Enterprises, Inc., a California corporation. Ordering Paragraph 2(c) of said decision provides that the effective date of the prescribed tariff filings shall be not earlier than thirty days after the effective date of the decision, i.e., December 16, 1980, on not less than thirty days' notice to the Commission and the public.

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It has been brought to the attention of the Commission's staff that because of the January 1, 1981 effective date of SB 1886, which eliminates the class of petroleum irregular route carriers, the applicant in this proceeding must be granted such a certificate and actually perform transportation under it prior to December 31, 1980 in order to be eligible for the conversion privilege of the legislation. In order to do this, the applicant must have a valid tariff on file. The effective date of such tariff filing should therefore be changed as follows.

Ordering Paragraph 2(c) should provide for an effective date of the tariff filing not earlier than five days after the effective date of Decision 92537, which is December 16, 1980, on not less than five days' notice to the Commission and the public.

The effective date of this order should be the date on which it is signed since there is no known opposition and no reason to delay granting the relief requested.

The following order complies with the guidelines of the Commission's Energy Efficiency Plan.

IT IS ORDERED that Ordering Paragraph 2(c) of Decision 92537 dated December 16, 1980 in this proceeding shall be amended to substitute the word "five" in place of and instead of the word "thirty" wherever it appears in subparagraph (c) thereof.

The effective date of this order is the date hereof.

Dated MAR 17 1981, at San Francisco,

California.

John E. Bryan
President
Richard W. Smith
Samuel M. Smith
Victor Calvo

Commissioners