

Decision No. 32747

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all common carriers as defined in the Public Utilities Act of the State of California, as amended, and all highway carriers as defined in Chapter 223, Statutes of 1935, as amended, for the transportation, for compensation or hire, of any and all commodities.

Case No. 4246

In the Matter of the Establishment of maximum or minimum or maximum and minimum rates, rules and regulations of all carriers as defined in the City Carriers' Act of the State of California (Statutes 1935, Chapter 312, as amended) for the transportation over the public highways within any city or city and county in the State of California, for compensation or hire, of any and all commodities.

Case No. 4434

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By appropriate petition The Western Pacific Railroad Company and Sacramento Northern Railway Company seek a modification of the minimum rates heretofore established for transportation of petroleum and petroleum products in bulk in tank equipment, to provide that rates applying from and to Sacramento will also apply from and to West Sacramento. ¹ Petitioners allege that West Sacramento

¹ The minimum rates involved were established by Decision No. 32220 in Cases Nos. 4079, 4191, 4249 and 4250, but were adopted in the above entitled proceedings by Decision No. 32608 of December 5, 1939. In the latter decision rates for highway carriers were promulgated in a tariff designated as Highway Carriers' Tariff No. 6 and City Carriers' Tariff No. 5.

constitutes an integral part of the Sacramento industrial area; that a number of industries located in West Sacramento are engaged in the same character of business as industries located in Sacramento; and that a petroleum distribution plant will soon be established at West Sacramento and products distributed therefrom in competition with Sacramento distributors. They point out, moreover, that Sacramento rates heretofore have been extended to apply from and to West Sacramento in connection with transportation of general merchandise and lumber and forest products.

Interested parties have advised the Commission by letter that they have no objection to the granting of this petition. This does not appear to be a matter in which a public hearing is necessary. The application will be granted.

Through clerical error Item No. 100 of the tariff providing pumping charges carries incorrect reference to petroleum crude oil rate items. Correct item numbers will be substituted. Also, by Decision No. 32220 in Case No. 4079 highway carriers were permitted to apply lower common carrier bulk petroleum rates for the same transportation without observing minimum weight provisions applicable thereto. However, the rules governing the application of bulk petroleum rates, as re-established in these proceedings, were inadvertently modified to require that highway carriers observe common carrier minimum weights in applying lower common carrier rates. The rules involved will be modified.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 32608 of December 5, 1939, in the above entitled proceedings be and it is hereby amended by adding to Appendix "A" thereof the following item:

"Item No. 55 - Application of Rates from and to West Sacramento.

Rates in this appendix applying from or to Sacramento will also apply from or to West Sacramento."

IT IS HEREBY FURTHER ORDERED that said Decision No. 32608 be and it is hereby amended by substituting in Highway Carriers' Tariff No. 6 and City Carriers' Tariff No. 5 (Appendix "C" of said decision) the revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

First Revised Page 8 Cancels Original Page 8
First Revised Page 10 Cancels Original Page 10

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 32608 shall remain in full force and effect.

This order shall become effective twenty (20) days after the date hereof.

Dated at Los Angeles, California, this 23rd day of January, 1940.

Ray L. Kelly
Frank R. Allen
R. J. ...
Justice J. Casper
Commissioners

| Item No. | SECTION NO. 1 RULES AND REGULATIONS (Continued) | | |
|----------------------|--|--|--|
| | <p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL GROUPS</p> <p>Rates from or to (but not between) all points in the groups described in this item shall be the rates in Section 2 of this tariff applicable from or to the mileage basing points designated in connection with the groups. (See Item No. 70 series.)</p> <p>Groups 2 to 13, inclusive, include unnamed points situated on the shortest highway route or shortest rail route between any two named points in the same group, except that if either the highway or the rail route exceeds the other by more than 100 per cent, points on such circuitous route shall not be included.</p> <p>* Rates in this tariff applying from or to Sacramento will also apply from or to West Sacramento.</p> | | |
| 40-A Cancel 40 | GROUP NO. | MILEAGE BASING POINT | |
| | | GROUP POINTS | |
| | 1 | San Francisco | San Francisco |
| | 2 | Pinole | Avon, Martinez, Oakland, Oleum, Pinole, Port Chicago, Port Costa, Richmond, Rodeo. |
| | 3 | Coalinga | Coalinga, Crump, LeRoy, Ora. |
| | 4 | Bakersfield | Bakersfield, Maltha, Mopeco, Oil Center, Oil City, Oildale, Seguro. |
| | 5 | Taft | Bowerbank, Buttonwillow, Conner, Fellows, Hazelton, Kerto, Lokern, Maricopa, McKittrick, Midoil, Millux, Olig, Pentland, Rio Bravo, Shale, Taft. |
| | 6 | Compton | Alamitos Heights, Alla, Bixby, Burnett, Compton, Crutcher, Dominguez Junction, Downey, East Long Beach, El Segundo, Huntington Beach, Hyde Park, Eynes, Inglewood, Lawn, Long Beach, Los Angeles (except as provided in Item No. 50 series), Los Nietos, Machado, Montebello, Naples, Playa del Rey, Pico, Rioco, San Pedro, Santa Fe Springs, Sherman Junction, St. Helons Spur, Signal Hill, Thenard, Torrance, Vonice, Vernon, Vinvale, Watson, Whittier, Wildasin, Wilmington, Wingfoot. |
| | 7 | Carpinteria | Carpinteria, Chrisman, Dulah, Ellwood, Coleta, Naples, Ortonville, Rincon Oil Fields, Santa Barbara, Sea Cliff, Summerland, Ventura, Ventura Avenue, Wadstrom. |
| | 8 | Fillmore | Bardsdale, Buckhorn, Camarillo, Fillmore, Montalvo, Moorpark, Piru, Santa Paula, Saticoy, Sespe. |
| 9 | Avenal | Avenal, Kettleman City, Kettleman Hills, Kettleman Hills Plant of Superior Oil Co., Los Nietos (Kings County). | |

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|----|------------|---|
| 10 | Lost Hills | Belridge, Blackwell's Corner, Lost Hills, North Belridge, South North Belridge. |
| 11 | Weed Patch | Arvin, Edison, Giffen, Harperton, Mountain View (Kern County), Vaccaro, Weed Patch. |
| 12 | Poso Creek | Kern Front, Mount Poso, Poso Creek. |
| 13 | Brea | Atwood, Brea, East Coyote, Fullerton, La Habra, Loftus, Oleo, Olinda, Peralta, Placentia, Richfield, West Coyote, Yorba, Yorba Linda. |

* Change - Decision No.

EFFECTIVE

Correction No. 1 Issued by The Railroad Commission of the State of California,
San Francisco, California.

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CITY CARRIERS' TARIFF NO. 5
 HIGHWAY CARRIERS' TARIFF NO. 6

| Item No. | SECTION NO. 1 RULES AND REGULATIONS (Continued) |
|--------------------------|---|
| 90 | <p style="text-align: center;">STOPPING IN TRANSIT</p> <p>Shipments shall be subject to an additional charge of \$4.50 for each stop in transit to partially unload. Charges will be collected on the weight of the entire shipment from point of origin to the highest rated point of delivery.</p> |
| *100-A Cancels 100 | <p style="text-align: center;">PULPING</p> <p>Rates provided in this tariff do not include pumping service when rendered with carrier's equipment. When pumping service is performed by the carrier, a charge of 3/4 of one cent per 100 pounds will be made. (See Exception.)</p> <p>*EXCEPTION.-When pumping is performed in connection with the transportation of petroleum crude oil under Column B rates provided in Item No. 210 series, or under rate provided in Item No. 230 series, a charge of 1/3 of one cent per 100 pounds will be made.</p> |
| 110-A Cancels 110 | <p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation from the same point of origin to the same point of destination than results from the application of the rates herein provided. (See Note 1.)</p> <p>*NOTE 1.-When the common carrier rate used is subject to minimum weight different from the minimum weight determined in accordance with the provisions of Item No. 80 series, the lesser minimum weight may be observed.</p> |
| 120-A Cancels 120 | <p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead or an established depot and point of destination is located at railhead or an established depot, add to the common carrier rate applying from any team track or established depot to point of destination the rate provided in this tariff for the distance from point of origin to the team track or depot from which the common carrier rate used applies. (See Notes 1 and 2.)</p> <p>(b) When point of origin is located at railhead or an established depot and point of destination is located beyond railhead or an established depot, add to the common carrier rate applying from point of origin to any team track or established depot the rate provided in this tariff for the distance from the team track or depot to which the common carrier rate used applies to point of destination. (See Notes 1 and 2.)</p> |

(c) When both point of origin and point of destination are located beyond railhead or an established depot, add to the common carrier rate applying between any railheads or established depots the rate provided in this tariff for the distance from point of origin to the team track or depot from which the common carrier rate used applies, plus the rate provided in this tariff for the distance from the team track or depot to which the common carrier rate used applies to point of destination. (See Notes 1 and 2.)

NOTE 1.-If the route from point of origin to the the team track or the established depot, or from the team track or established depot to point of destination, is within the corporate limits of a single incorporated city, the rates provided in this tariff for transportation for distances of 5 miles or less, or rates established for transportation by carriers as defined in the City Carriers' Act (Chapter 312, Statutes of 1935, as amended), whichever are the lower, shall apply from point of origin to team track or established depot or from team track or established depot to point of destination as the case may be.

*NOTE 2.-When the common carrier rate used is subject to minimum weight different from the minimum weight determined in accordance with the provisions of Item No. 80 series, the lesser minimum weight may be observed in connection with such common carrier rate.

^Change, neither increase nor reduction.

*Change, Decision No.

EFFECTIVE

Issued by The Railroad Commission of the State of California,
Correction No. 2. San Francisco, California.