

ORIGINAL

Decision No. 50915

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, highway carriers and city
carriers relating to the transportation
of petroleum and petroleum products in
bulk (commodities for which rates are
provided in City Carriers' Tariff No. 5 -
Highway Carriers' Tariff No. 6).

Case No. 5436

SUPPLEMENTAL OPINION AND ORDER

By recent decisions in Case No. 5432, the definitions of the terms "point of origin" and "point of destination" as contained in Minimum Rate Tariff No. 2 were broadened to include all points within a single industrial plant or shipping or receiving area.¹ The Commission's Transportation Division has recommended that corresponding changes be made in the definitions of the same terms as contained in City Carriers' Tariff No. 5 - Highway Carriers' Tariff No. 6. Interested parties have been notified of the recommendation and have offered no objection. The recommended changes are in the interest of uniformity of tariff application. They will be adopted.

Also, Item No. 60 series of City Carriers' Tariff No. 5 - Highway Carriers' Tariff No. 6 provides that distances shall not be computed via the San Francisco-Oakland Bay Bridge or the Richmond-San Rafael Ferry when the petroleum products transported have a flash point below a certain degree. This provision was included because of restrictions on truck travel over the bridge and the ferry. Question has arisen concerning the method of determining the flash point. In order to remove uncertainty, the method will be specified in the tariff rule.

¹ Decision No. 49339, dated November 17, 1953, and Decision No. 50463, dated August 24, 1954.

At the same time, in the interest of tariff simplification, the title of City Carriers' Tariff No. 5 - Highway Carriers' Tariff No. 6 will be changed to Minimum Rate Tariff No. 6, and it will be provided by general rule that references to item numbers include references to such numbers with letter suffixes and references to tariffs include references to amendments and successive issues of such tariffs.

A public hearing is not necessary.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That City Carriers' Tariff No. 5-Highway Carriers' Tariff No. 6 (Appendix "A" of Decision No. 32608 as amended) be and it is hereby further amended by changing the title thereof to Minimum Rate Tariff No. 6 and by incorporating therein, to become effective February 1, 1955, the revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Second Revised Title Page Cancels First Revised Title Page
Ninth Revised Page 6 Cancels Eighth Revised Page 6
Ninth Revised Page 9 Cancels Eighth Revised Page 9

(2) That any reference in Commission orders or tariffs to City Carriers' Tariff No. 5-Highway Carriers' Tariff No. 6, shall also be deemed to be a reference to Minimum Rate Tariff No. 6.

(3) That tariff publications required or authorized to be made by common carriers as a result of the order herein may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effectiveness of the tariff changes herein involved.

(4) That in all other respects said Decision No. 32608, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 28th day of December, 1954.

Arthur E. Mitchell
President

James S. Caswell

Kenneth Patton

Rafael Antares

Commissioners

Second Revised Title Page
Cancels
First Revised Title Page

*MINIMUM RATE TARIFF NO. 6

(Formerly City Carriers' Tariff No. 5
Highway Carriers' Tariff No. 6)

Naming

Minimum Rates, Rules and Regulations

for the

Transportation of

Petroleum and Petroleum Products
(as Described Herein)

When Transported in Bulk in Tank Trucks,

Tank Trailers or Tank Semi-trailers

Over the Public Highways within the

State of California

By

PETROLEUM CONTRACT CARRIERS

and

CITY CARRIERS

*Important Notice

Reference in this or other tariffs to City Carriers' Tariff No. 5 - Highway Carriers' Tariff No. 6 shall be construed as referring to Minimum Rate Tariff No. 6.

The original tariff contains rates, rules and regulations established in Decision No. 32608 in Case No. 4246 and Case No. 4434. Changes contained in subsequent orders will be made by reissuing the pages on which the changes occur or by issuing supplements showing the corrected items.

*Change, Decision No. ~~50915~~

Correction No. 157

EFFECTIVE FEBRUARY 1, 1955
(Original tariff effective
January 14, 1940)

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California

Item No.	SECTION NO. 1 RULES AND REGULATIONS
<p>*10-I Cancels 10-H</p>	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>(a) CARRIER means a petroleum contract carrier, or city carrier, as defined in the Highway Carriers' Act and in the City Carriers' Act.</p> <p>(b) CARRIER'S EQUIPMENT means any tank motor truck, tank trailer or tank semitrailer, or any combination of such highway vehicles operated by the carrier.</p> <p>(c) COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; also any interstate rate of any common carrier railroad or railroads applying between points in California via an interstate or foreign route, lawfully in effect at time of shipment.</p> <p>(cc) DISTANCE TABLE means Distance Table No. 4.</p> <p>(d) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>(d-a) INDEPENDENT-CONTRACTOR SUBHAULER means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.</p> <p>*(e) POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant or receiving area of one consignee shall be considered as one point of destination. An industrial plant or receiving area of one consignee shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>*(f) POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single industrial plant or shipping area of one consignor shall be considered as one point of origin. An industrial plant or shipping area of one consignor shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p> <p>(g) RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.</p> <p>(h) RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>(i) SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges, although not necessarily in an identical type of equipment.</p> <p>(j) SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination. (See Items Nos. 87 and 130 for exceptions.)</p> <p>(k) TEAM TRACK means a point at which property may be loaded into, or upon, or unloaded from rail cars by the public generally. It also includes wharves, docks and landings at which the public generally may receive and tender shipments of property from and to common carriers by vessel.</p>

(1) SPLIT DELIVERY SHIPMENT means a shipment consisting of two or more component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, said shipment being shipped by one consignor at one point of origin and charges thereon being paid by the consignor when there is more than one consignee.

APPLICATION OF TARIFF - GENERAL

*20-F
Cancels
20-E

Rates provided in this tariff apply for the transportation of shipments of petroleum and petroleum products as described in Item No. 30, in bulk in tank trucks, tank trailers or tank semitrailers, or a combination of such highway vehicles, between points in the State of California by petroleum contract carriers as defined in the Highway Carriers' Act, and by carriers as defined in the City Carriers' Act. Rates include connecting and disconnecting piping and other services incidental to loading and unloading except those services for which rates or charges are provided in individual items.

*For rates for the transportation of petroleum and petroleum products, other than as provided in this tariff, see Minimum Rate Tariff No. 2.

Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor sub-haulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.

* Change, Decision No. 50915

EFFECTIVE FEBRUARY 1, 1955

Issued by the Public Utilities Commission of the State of California
San Francisco, California
Correction No. 158

Item No.	SECTION NO. 1. RULES AND REGULATIONS (Continued)																										
#55	<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</p> <p>Unless otherwise provided, references herein to item numbers in this or other tariffs include references to such numbers with letter suffix, and references to other tariffs include references to amendments and successive issues of such other tariffs.</p>																										
*60-E Cancels 60-D	<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route, computed in accordance with the method provided in the Distance Table, subject to the following exception:</p> <p>*EXCEPTION-Distances from, to, or between Groups 1 and 2 shall not be computed via the San Francisco-Oakland Bay Bridge, when the petroleum products transported, have a flash point of 80° F. or below (as determined by flash point from Tagliabue's open-cup tester, as used for test of burning oils); nor via the Richmond-San Rafael Ferry when the petroleum products transported have a flash point of 110° F. or below (as determined by flash point from Tagliabue's open-cup tester, as used for test of burning oils).</p>																										
70-D Cancels 70-C	<p style="text-align: center;">COMPUTATION OF CHARGES - ESTIMATED WEIGHTS</p> <p>(a) The weight of commodities described under heading "Refined Petroleum Products" in Item No. 30 shall be computed upon the basis of 6.6 pounds per gallon.</p> <p>(b) The weight of commodities described under headings "Black Oils" and "Crude Oil" in Item No. 30 shall be computed upon the basis of 7.75 pounds per gallon.</p> <p>(c) The weight of Liquefied Petroleum Gas shall be computed upon the basis of 4.4 pounds per gallon.</p> <p>(d) The weight of asphalt and road oil shall be the actual weight.</p>																										
80-D Cancels 80-C	<p style="text-align: center;">MINIMUM CHARGE</p> <p>The minimum charge per shipment shall be the charge at the applicable rate for the minimum quantities of property designated in connection with the unit or units of carrier's equipment containing the shipment, as specified below. (See Note 1.)</p> <table border="1" style="width: 100%; margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th colspan="3" style="text-align: center;">MINIMUM QUANTITIES</th> </tr> <tr> <th></th> <th style="text-align: center;">Tank Truck or Tank Trailer</th> <th style="text-align: center;">Tank Semi- Trailer</th> <th style="text-align: center;">Two Con- nected Tank Vehicles</th> </tr> </thead> <tbody> <tr> <td>Gasoline</td> <td style="text-align: center;">3000 gallons</td> <td style="text-align: center;">5000 gallons</td> <td style="text-align: center;">6000 gallons</td> </tr> <tr> <td>Refined Petroleum Products (other than gasoline) Black Oils, and Crude Oil</td> <td style="text-align: center;">3000 gallons</td> <td style="text-align: center;">4000 gallons</td> <td style="text-align: center;">5000 gallons</td> </tr> <tr> <td>Liquefied Petroleum Gas</td> <td style="text-align: center;">3000 gallons</td> <td style="text-align: center;">4500 gallons</td> <td style="text-align: center;">6200 gallons</td> </tr> <tr> <td>Asphalt and Road Oil</td> <td style="text-align: center;">23250 pounds</td> <td style="text-align: center;">36000 pounds</td> <td style="text-align: center;">36000 pounds</td> </tr> </tbody> </table> <p>NOTE 1.- See Item No. 30 for description of commodities.</p>				MINIMUM QUANTITIES				Tank Truck or Tank Trailer	Tank Semi- Trailer	Two Con- nected Tank Vehicles	Gasoline	3000 gallons	5000 gallons	6000 gallons	Refined Petroleum Products (other than gasoline) Black Oils, and Crude Oil	3000 gallons	4000 gallons	5000 gallons	Liquefied Petroleum Gas	3000 gallons	4500 gallons	6200 gallons	Asphalt and Road Oil	23250 pounds	36000 pounds	36000 pounds
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*Change⁽¹⁾) Decision No.
#Addition)

50915

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