



O P I N I O N

These matters pertain to the establishment of minimum rates for the transportation of commodities in liquid or in semi-plastic form in tank truck equipment by highway carriers. More specifically, they pertain to the transportation of such commodities (other than designated petroleum products) when such transportation is incidental to the construction, operation or maintenance of oil or gas wells, oil pipe lines, or oil storage facilities. At present such transportation is not subject to minimum rates. The California Trucking Associations, Inc., (referred to hereinafter at times as "applicant") alleges that in the absence of governing minimum rate provisions carriers are engaged in destructive competitive practices and are assessing rates which are unreasonably low in some instances and unduly discriminatory in others. It asks that minimum rates, rules and regulations be established to apply for the future.

On December 4 and 5, 1956, public hearings on the matters involved were held before Examiner C. S. Abernathy in Los Angeles. Evidence and minimum rate proposals were presented by applicant through its assistant director of research. Two carrier witnesses also submitted testimony in applicant's behalf. Another carrier witness testified independently on behalf of his own company. Members of the Commission's staff participated in the development of the record. The record was closed with the submission of certain exhibits on January 11, 1957.

The transportation that is involved herein is a specialized type of service. It consists mainly of the transportation of

oil-well-drilling waste materials from well sites to disposal areas and the transportation of oil-well-drilling muds, compounds, and chemicals from suppliers to well sites. Special pump and vacuum tank equipment is used.

The evidence which was presented by applicant's assistant director of research relates primarily to a study which he had made to arrive at the cost of the transportation service. In this regard the witness testified that he had drawn the basic data for the study from the carriers' records and from personal observations of the services. He said that in some instances, however, the carriers' records were lacking in necessary information, and that in these instances he had used figures which were judgment figures based on his familiarity with the transportation generally. The witness stated, furthermore, that in the utilization of the data he had made various adjustments therein in order that the results would conform to those from a reasonably efficient transportation service. For example, he said that he had found numerous carriers following the practice of depreciating their equipment on the basis of service lives of four years or less whereas a five-year basis appeared to him to be more representative of reasonable economic service lives that could be realized. Where these circumstances were found, he made adjustments of the cost data accordingly. Having arrived at cost determinations in this matter, he included provision for profit as indicated by an operating ratio of 90 percent. Upon this basis he submitted a scale of rates and governing rules which he proposed be adopted as minimum for the transportation.

The carrier witnesses for applicant described the nature and scope of their services. Both witnesses expressed the view

that establishment of minimum rates to govern the transportation would be welcomed by shippers and carriers alike. One of the witnesses referred to difficulties which he experiences in competing with carriers who charge lower rates than those which he maintains. Both supported the rate proposals of applicant's cost witness as being reasonable. The carrier witness who testified on his company's own behalf was in accord with the other carrier witnesses as to the desirability of the establishment of minimum rates for the transportation. He took exception, however, to the proposed rates to the extent that they would result in a substantial increase over present rates for vehicles of about 45-barrel capacity, and he urged that in order to provide a more gradual gradation of increases the proposals be modified in this respect.

Discussion, Conclusions and Findings

The establishment of minimum rates, rules and regulations to govern a particular transportation service involves a determination of the costs of carrier service by efficient and economical means.<sup>1/</sup> Applicant's showing in the instant matters purportedly reflects such determinations. Nevertheless, the record is not convincing that the study upon which the rate proposals rest actually developed the costs of efficient and economical carrier service.

First, the validity of certain of the basic cost figures which applicant's cost witness employed in his study (such as those relating to use factor and economic service lives of equipment)

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<sup>1/</sup> Decision No. 46912, 51 Cal. P.U.C. 586 (1952); California Manufacturers Association v. Public Utilities Commission of the State of California, 42 Cal. 2d 530 (1954).

was not established sufficiently to be acceptable for the purposes of these proceedings. The cost figures in question were, to a substantial extent, the product of "judgment" of the cost witness. This circumstance of itself does not invalidate the figures. It is recognized that in matters of this kind judgment necessarily enters into evaluation of the factors that must be considered. However, where judgment is employed to a significant degree, the soundness thereof must be established. In this instance the showing of supporting detail and of underlying reasoning was, in various respects, insufficient for this end.

Second, it does not appear that minimum rates of the volume sought are necessary to the maintenance of efficient and economical transportation service of the type involved herein. Except for tank equipment of 100-barrel capacity or greater, the proposed rates are higher than the present rates of tariff-publishing carriers by amounts ranging upwards to about 30 percent.<sup>2/</sup> Applicant's cost witness stated that he had not made an analysis to determine the effect that establishment of the proposed rates would have upon the carriers' revenues. It appears, nevertheless, that the increases under the sought rates would average about 10 percent. Since the provision for profit which the cost witness included in his rate proposals is about 10 percent of the rates, it is evident that in effect applicant alleges that the present rates no more than return the costs of efficient and economical service.

In this connection it is noted that in their reports to the Commission covering their operations for the year 1955 21 tariff-filing carriers, named by applicant as deriving 90 percent

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<sup>2/</sup> The proposed rates are set forth in detail and compared with various of the present rates in Appendix "A" attached hereto.

or more of their revenues from vacuum tank transportation services, reported net operating revenues which in total were about 10 percent of their gross revenues. For the first six months of 1956 the operating results of 10 carriers were reported by applicant's cost witness as ranging from 91 to 97 percent for eight of the carriers and as 108 and 137 percent for the other two. These results in themselves are not a direct measure of those that would obtain under minimum rate standards. For this purpose adjustments would be necessary to eliminate the effect of excessive charges to depreciation and of costs above those for efficient and economical operations; also adjustments should be made to take into account management services performed for which no charges were recorded and increases in labor costs during 1956 and 1957 of about 3 percent of the carriers' total operating costs. What the net effect of these adjustments would be cannot be determined with certainty on this record. However, on the evidence presented, it appears that the rates that are now in effect are not as inadequate as alleged, and that to the extent any increases in rates should be made, increases as great as those sought are not necessary for the establishment of rates which are intended to apply as reasonable minimum rates.

Notwithstanding the infirmities of applicant's showing, the evidence in these matters provides sufficient grounds for the prescription of minimum rates. On the basis of the record as a whole, it appears that rates which are approximately 5 to 7 percent higher than the general level of the carriers' rates, as shown in Appendix "A" attached hereto, may reasonably be prescribed as minimum. To this extent applicant's request for the establishment of minimum rates for the transportation which is involved herein should be granted.

With the prescription of minimum rates as indicated, certain rules and regulations applicable thereto should also be promulgated. Applicant's proposal in these respects should be adopted with modifications as necessary to conform to minimum rate standards. The principal modification in this regard relates to the method of determining the time upon which the carriers' charges should be computed. Applicant proposed that charges be assessed for the time of the departure of vehicles from the carriers' terminals to the time of return thereto. It appears from the testimony of the carrier witnesses that in the performance of the services the carriers do not return to their terminals with the completion of each job but frequently proceed from job to job. Thus, under the rules and regulations which applicant proposes, charges would be assessed on a basis which from the standpoint of the actual experience does not appear to be in accord with efficient operating practices. The rule which will be prescribed will be similar to that which the Commission has heretofore found reasonable in circumstances similar to those applicable to the transportation involved herein.<sup>3/</sup>

#### Findings

Upon careful consideration of all the facts and circumstances of record, the Commission is of the opinion and finds:

1. That the rates, charges, rules and regulations set forth in the tariff designated as Appendix "B", attached hereto and by this reference incorporated in and made a part of this order, are and will be for the future just, reasonable and nondiscriminatory minimum rates and accessorial charges to be assessed, charged and collected, and the rules to be observed, by any and all radial highway common carriers, highway contract carriers, petroleum

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<sup>3/</sup> Minimum Rate Tariff No. 7, Item No. 300-B.

contract carriers for the transportation and other services including accessorial services rendered incident thereto, for which rates, charges, rules and regulations are provided in said tariff designated as Appendix "B" hereto.

2. That any and all radial highway common carriers, highway contract carriers, and petroleum contract carriers should be required to assess, charge, collect and observe for the transportation and other services, including accessorial services rendered incident thereto, for which rates, charges, rules and regulations are provided in said tariff designated as Appendix "B" hereto, rates, charges and accessorial charges no lower in volume or effect than those set forth in said tariff designated as Appendix "B" hereto, and rules and regulations resulting in rates and charges no lower in volume or effect than those set forth or referred to therein.

3. That common carriers listed in Appendix "C" hereto should establish rates, charges, rules and regulations no lower in volume or effect than those set forth in the tariff designated as Appendix "B" hereto for the performance of the same transportation and other services, including the same accessorial services.

4. That any and all radial highway common carriers, highway contract carriers, petroleum contract carriers, highway common carriers, and petroleum irregular route carriers which are engaged in the performance of transportation and other services, including accessorial services rendered incident thereto, for which rates, charges, rules and regulations are provided in said tariff designated as Appendix "B" hereto, should be required to issue a shipping document for each shipment received for transportation, or a shipping document in manifest



form for all shipments received from one shipper at one time and at one place, showing thereon the names of the shipper and each consignee, the point of origin and point of destination of each shipment, a description of each shipment, the rate and charge assessed, and such other information respecting each of the factors entering into the computation of the charge as may be necessary in connection with said tariff designated as Appendix "B" hereto, to verify the lawfulness of such charge, provided that said shipping documents in manifest form may be issued to the shipper without all of the required information, when supplemented by the issuance to the consignees of freight bills or delivery receipts and freight bills containing the required information not shown on said shipping documents in manifest form; that a copy of each of such shipping documents, delivery receipts and freight bills should be retained and preserved by the carrier for reference and subject to the Commission's inspection, for a period of not less than three years from the date of its issuance; and that the form of shipping document set forth in said tariff designated as Appendix "B" hereto will be suitable and proper.

O R D E R

Based upon the evidence of record, and upon the conclusions and findings set forth in the preceding opinion,

IT IS HEREBY ORDERED:

1. That the rates, charges, rules and regulations set forth in the tariff designated as Appendix "B", attached hereto, and

by this reference incorporated in and made a part of this order, be and they are hereby established and approved, effective November 1, 1957, as the just, reasonable and nondiscriminatory minimum rates and accessorial charges to be assessed, charged and collected, and the rules to be observed, by any and all radial highway common carriers, highway contract carriers and petroleum contract carriers for the transportation and other services including accessorial services rendered incident thereto, for which rates, charges, rules and regulations are provided in said tariff designated as Appendix "B" hereto.

2. That any and all radial highway common carriers, highway contract carriers and petroleum contract carriers be and they are hereby ordered and directed to cease and desist on November 1, 1957, and thereafter abstain from assessing, charging or collecting rates, charges or accessorial charges lower in volume or effect than those set forth in said tariff designated as Appendix "B" hereto, and from observing rules resulting in rates and charges lower in volume or effect than those set forth or referred to therein.

3. That common carriers listed in Appendix "C" hereto shall establish rates, charges, rules and regulations no lower in volume or effect than those set forth in the tariff designated as Appendix "B" hereto for the performance of the same transportation and other services, including the same accessorial services.

4. That in connection with the performance of transportation services for which minimum rates are prescribed herein, highway contract carriers, radial highway common carriers, and petroleum contract carriers, as defined in the Highway Carriers' Act, and

highway common carriers and petroleum irregular route carriers as defined in the Public Utilities Act, shall issue, retain and preserve shipping documents in the manner and for the period of time set forth in finding No. 4 in the opinion preceding this order.

5. That tariff publications herein required to be made by the common carriers listed in Appendix "C" hereto as a result of the order herein may be made effective not earlier than the effective date hereof on not less than five days' notice to the Commission and to the public; and that such required tariff publications shall be made effective not later than November 1, 1957.

6. That except to the extent that it is granted by this order, Application No. 38489 be and it hereby is denied.

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

Dated at Los Angeles, California, this 24<sup>th</sup> day of SEPTEMBER, 1957.

[Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners

APPENDIX "A" TO DECISION NO. 55584

Proposed Minimum Hourly Rates for Transportation by Pump or by Vacuum-Type Tank Trucks; also, Present Rates of Various Highway Carriers for Said Transportation.

I. Proposed Minimum Rates per Hour

Capacity of Equipment (in barrels)		(1) Territory		(2) Territory	
More Than	But Not More Than	A	B	A	B
0	35.....	\$ 9.00..	\$ 9.50...	\$ 8.75..	\$ 9.25
35	40.....			9.25 ..	9.75
40	45.....	10.85..	11.35...		
45	60.....	..	...	10.85..	11.35
60	80.....	11.90..	12.40...	11.90..	12.40
80	95.....	12.30..	12.90...	12.30..	12.90
95	.....	13.00..	13.80...	13.00..	13.80

(1) and (2) - Alternate proposals.

Territory "A" - Counties of Lo's Angeles, Orange, Riverside, San Bernardino, San Diego and Imperial.

Territory "B" - All counties other than those in Territory "A".

II. Present Rates per Hour for Transportation by Vacuum-Type Tank Trucks (a)

Capacity of Equipment (in barrels)		Territory			
More Than	But Not More Than	(1)	(2)	(3)	(4)
0	31	\$ 7.49	\$ 7.49	\$ 8.00	\$ 8.00
31	36	8.56	8.65	8.56	9.00
36	45	9.10	9.50	9.10	9.50
45	57	9.63	10.00	9.63	10.00
57	88	10.70	10.70	11.00	11.00
88		11.77	14.00	14.00	14.00

(a) Rates for transportation by pump-type tank truck equipment are \$1.00 per hour less.

- (1) Los Angeles, Orange and Riverside Counties, except those portions within Cuyama Territory.
- (2) Ventura, Santa Barbara, Santa Maria, and San Luis Obispo Counties, except those portions within Cuyama Territory.
- (3) Kern, Tulare, and Kings Counties and Cuyama Territory consisting of that territory within Cuyama Rancho (United States Land Patent of 1872).
- (4) All other territories than those described in (1), (2), and (3).

Note: The rates shown herein are the published rates of carriers parties to Local Vacuum and Pump Tank Truck Tariff No. 7, Cal. P.U.C. No. 16, Southwestern Motor Tariff Bureau, J.L. Beeler, Agent, or to Local Freight Tariff No. 39, Cal.P.U.C. No. 30, Tank Truck Operator's Tariff Bureau, William J. Knoell, Agent. The rates of certain other carriers who are engaged in like transportation and who publish their tariffs independently are higher in some respects and lower in others than those shown above.

(End of Appendix "A")

APPENDIX "B"  
OF  
DECISION NO. 55584  
IN CASE NO. 5432

ISSUED BY  
THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA

CONSISTING OF A TARIFF NAMING MINIMUM RATES,  
RULES AND REGULATIONS FOR THE TRANSPORTATION  
BY VACUUM-TYPE TANK VEHICLES AND BY PUMP-TYPE  
TANK VEHICLES OF PROPERTY OVER THE PUBLIC  
HIGHWAYS WITHIN THE STATE OF CALIFORNIA

BY  
RADIAL HIGHWAY COMMON CARRIERS  
HIGHWAY CONTRACT CARRIERS  
AND  
PETROLEUM CONTRACT CARRIERS

Original Title Page

MINIMUM RATE TARIFF NO. 13

NAMING

MINIMUM RATES, RULES AND REGULATIONS

FOR THE

TRANSPORTATION BY VACUUM-TYPE TANK VEHICLES

AND BY PUMP-TYPE TANK VEHICLES OF PROPERTY

OVER THE PUBLIC HIGHWAYS WITHIN THE STATE OF CALIFORNIA

BY

RADIAL HIGHWAY COMMON CARRIERS

HIGHWAY CONTRACT CARRIERS

AND

PETROLEUM CONTRACT CARRIERS

The original tariff contains rates, rules and regulations established in Decision No. 5558<sup>2</sup> in Case No. 5432. Changes will be made by issuing revised or added pages or by issuing supplements.

EFFECTIVE NOVEMBER 1, 1957

Issued by the  
Public Utilities Commission of the State of California  
State Building, Civic Center  
San Francisco, California

## CORRECTION NUMBER CHECKING SHEET

This tariff is issued in loose-leaf form. All added and revised pages will be numbered consecutively in the lower left hand corner. These correction numbers should be checked below on this checking sheet before pages are filed in the tariff.

## CORRECTION NUMBERS

1	31	61	91	121	151	181
2	32	62	92	122	152	182
3	33	63	93	123	153	183
4	34	64	94	124	154	184
5	35	65	95	125	155	185
6	36	66	96	126	156	186
7	37	67	97	127	157	187
8	38	68	98	128	158	188
9	39	69	99	129	159	189
10	40	70	100	130	160	190
11	41	71	101	131	161	191
12	42	72	102	132	162	192
13	43	73	103	133	163	193
14	44	74	104	134	164	194
15	45	75	105	135	165	195
16	46	76	106	136	166	196
17	47	77	107	137	167	197
18	48	78	108	138	168	198
19	49	79	109	139	169	199
20	50	80	110	140	170	200
21	51	81	111	141	171	201
22	52	82	112	142	172	202
23	53	83	113	143	173	203
24	54	84	114	144	174	204
25	55	85	115	145	175	205
26	56	86	116	146	176	206
27	57	87	117	147	177	207
28	58	88	118	148	178	208
29	59	89	119	149	179	209
30	60	90	120	150	180	210

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Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.

## ARRANGEMENT OF TARIFF

This is a loose-leaf tariff arranged as follows:

SECTION NO. 1 - Rules and Regulations  
SECTION NO. 2 - Hourly Rates  
SECTION NO. 3 - Form of Shipping Document.

TABLE OF CONTENTS	Item Number Except as Shown
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SECTION NO. 1

RULES AND REGULATIONS

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Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.

SECTION NO. 1 - RULES AND REGULATIONS	Item No.
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>CARRIER means a radial highway common carrier or a highway contract carrier, or a petroleum contract carrier, as defined in the Highway Carriers' Act.</p> <p>CARRIER'S EQUIPMENT means (1) Vacuum-type tank vehicles which are loaded ordinarily by the force of atmospheric pressure acting upon a vacuum within the vehicles; or (2) pump-type vehicles which are loaded ordinarily by a pumping process in which the material being loaded passes through the pumps.</p> <p>ENGAGEMENT means the employment of one or more unit(s) of equipment with driver and/or helper by one shipper on one shipping document.</p> <p>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>RATE includes charge, also rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>SHIPMENT means the engagement of one or more unit(s) of equipment with driver and/or helper by one shipper on one shipping document.</p> <p>UNIT OF EQUIPMENT means a vacuum or pump tank truck, tank trailer, tank semitrailer or any combination of the foregoing operated in a train.</p>	10
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## SECTION NO. 1 - RULES AND REGULATIONS (Continued)

Item  
No.

## APPLICATION OF TARIFF - CARRIERS

Rates provided in this tariff are minimum rates established pursuant to the Highway Carriers' Act and apply for transportation by vacuum-type tank vehicles and by pump-type tank vehicles of property by radial highway common carriers, highway contract carriers and petroleum contract carriers as defined in said Act.

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Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor subhauers when such transportation is performed for other carriers defined in this tariff or for common carriers defined in the Public Utilities Act.

## APPLICATION OF TARIFF - TERRITORIAL

Rates in this tariff apply for the transportation of shipments between all points within the State of California except transportation within incorporated cities.

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Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply for the transportation of the following commodities:</p> <p>Commodities in semi-plastic form; Commodities in suspension in liquids; and, Liquids;</p> <p>when such transportation is incidental to the construction, operation or maintenance of oil or gas wells, oil pipe lines or oil storage facilities (See Exception).</p> <p>EXCEPTION: The rates in this tariff do not apply for transportation for which rates are provided in Minimum Rate Tariff No. 6.</p>	40
<p style="text-align: center;">APPLICATION OF RATES</p> <p>Rates include the services of the vehicle and driver only. For charges for helpers see Item No. 60</p> <p>Charges shall be based upon the capacity of equipment ordered, except that if a carrier is unable to furnish the capacity ordered and substitutes larger equipment, charges shall be for the capacity of the equipment ordered or for equipment of capacity corresponding to the barrels of property transported, whichever is the greater.</p> <p>When the transportation performed extends between two territories, the higher rated territory in or through which any service is performed shall determine the applicable hourly rate.</p>	50
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.																					
<p style="text-align: center;"><b>ACCESSORIAL CHARGES</b></p> <p>When carrier furnishes help in addition to the driver, an additional charge of \$3.60 per man per hour shall apply. The time for computing the additional charge shall be not less than the actual time in minutes the helper or helpers are engaged in performing the services. The total time so computed shall be converted into hours and fractions thereof. Fractions of an hour shall be determined in accordance with the table provided in Item No. 80.</p>	60																					
<p style="text-align: center;"><b>MINIMUM CHARGE</b></p> <p>The minimum charge per shipment shall be that for two hours of service at the applicable rate.</p>	70																					
<p style="text-align: center;"><b>COMPUTATION OF TIME</b></p> <p>Charges shall be computed on the basis of the total hours, and/or fraction thereof, from the time that driver and vehicle report for service pursuant to shipper's order to the time of completion of service under such order, less any time during such period that carrier's equipment is inactivated because of mechanical failure and/or driver is off duty, and less any time involved in performing transportation not subject to the provisions of this tariff. After the net time has been so determined, it shall be converted into hours and/or fractions thereof. Fractions of an hour shall be determined in accordance with the following table:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" style="text-align: center;"><u>Minutes</u></th> <th></th> </tr> <tr> <th style="text-align: center;"><u>More Than</u></th> <th style="text-align: center;"><u>But Not More Than</u></th> <th></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0</td> <td style="text-align: center;">8</td> <td style="text-align: center;">Omit</td> </tr> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">23</td> <td style="text-align: center;">Shall be 1/4 hour</td> </tr> <tr> <td style="text-align: center;">23</td> <td style="text-align: center;">38</td> <td style="text-align: center;">Shall be 1/2 hour</td> </tr> <tr> <td style="text-align: center;">38</td> <td style="text-align: center;">53</td> <td style="text-align: center;">Shall be 3/4 hour</td> </tr> <tr> <td style="text-align: center;">53</td> <td style="text-align: center;">60</td> <td style="text-align: center;">Shall be 1 hour</td> </tr> </tbody> </table>	<u>Minutes</u>			<u>More Than</u>	<u>But Not More Than</u>		0	8	Omit	8	23	Shall be 1/4 hour	23	38	Shall be 1/2 hour	38	53	Shall be 3/4 hour	53	60	Shall be 1 hour	80
<u>Minutes</u>																						
<u>More Than</u>	<u>But Not More Than</u>																					
0	8	Omit																				
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23	38	Shall be 1/2 hour																				
38	53	Shall be 3/4 hour																				
53	60	Shall be 1 hour																				
<p style="text-align: center;"><b>UNITS OF MEASUREMENT IN QUOTATION OF RATES AND CHARGES</b></p> <p>Rates or accessorial charges shall not be quoted or assessed by carriers based upon a unit of measurement different from that in which the minimum rates and charges in this tariff are stated.</p>	90																					
<p style="text-align: center;"><b>SHIPMENTS TO BE RATED SEPARATELY</b></p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated nor combined by the carrier.</p>	100																					
<p style="text-align: center;"><b>REFERENCES TO ITEMS AND OTHER TARIFFS</b></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>	110																					
<b>EFFECTIVE AS SHOWN ON ORIGINAL TITLE PAGE</b>																						
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California.</p>																						

SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued) Item No.

COLLECT ON DELIVERY (C.O.D.) SHIPMENTS

(a) No carrier shall handle any C.O.D. shipment unless and until it has on file with the Commission a good and sufficient bond in such form as the Commission may deem proper, in a sum of not less than Two Thousand Dollars.

(b) The bond required by paragraph (a) hereof, shall be filed by the carrier as principal and by some solvent surety company, authorized to do business in the State of California, as surety, payable to the State of California, and/or any person or persons to whom any amount may be due on any C.O.D. shipment transported by said carrier and not remitted to the person or persons to whom it is due within ten days after delivery to any such shipment; however, when the carrier has filed with any municipality or board thereof, pursuant to ordinance, a bond in a sum not less than Two Thousand Dollars, payable to said board or municipality and/or any person or persons to whom any amount may be due on any C.O.D. shipment transported by said carrier and not remitted to the person or persons to whom it is due within ten days after delivery of any such shipment, the filing by such carrier of a certified copy of said bond with this Commission shall be deemed compliance herewith. Each bond filed pursuant to the foregoing shall specify the extent to which the carrier's operations are covered thereby and may cover more than one operative authority held by the same carrier. When a carrier with such a bond or bonds on file with the Commission obtains additional operative authority, said bond or bonds shall be revised or reissued to show whether or not the additional operative authority is covered thereby. No C.O.D. bond shall be canceled on less than thirty days' notice to the Commission.

(c) In the handling of C.O.D. shipments carrier shall, promptly upon collection of any and all C.O.D. moneys, and in no event later than ten days after delivery to consignee, unless consignor instructs otherwise in writing, remit to consignor all C.O.D. moneys collected by it on such shipments.

(d) The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments shall be as follows:

When the amount collected is	Charge for collecting and remitting will be
Not over \$2.50	\$ 0.40
Over 2.50 not over \$ 5.00	0.46
Over 5.00 not over 10.00	0.60
Over 10.00 not over 20.00	0.63
Over 20.00 not over 25.00	0.66
Over 25.00 not over 40.00	0.77
Over 40.00 not over 50.00	0.82
Over 50.00 not over 60.00	1.04
Over 60.00 not over 80.00	1.07
Over 80.00 not over 100.00	1.10
Over 100.00 not over 102.50	1.39
Over 102.50 not over 105.00	1.44
Over 105.00 not over 110.00	1.48
Over 110.00 not over 120.00	1.53
Over 120.00 not over 140.00	1.58
Over 140.00 not over 150.00	1.63
Over 150.00 not over 160.00	1.74
Over 160.00 not over 180.00	1.78
Over 180.00 not over 200.00	1.81
Over 200.00 not over 250.00	2.05
Over 250.00 not over 300.00	2.35
Over 300.00 not over 350.00	2.66

Over	350.00	not over	400.00	-----	2.94
Over	400.00	not over	450.00	-----	3.27
Over	450.00	not over	500.00	-----	3.58
Over	500.00	not over	550.00	-----	3.88
Over	550.00	not over	600.00	-----	4.17
Over	600.00	not over	650.00	-----	4.49
Over	650.00	not over	700.00	-----	4.80
Over	700.00	not over	750.00	-----	5.11
Over	750.00	not over	800.00	-----	5.39
Over	800.00	not over	850.00	-----	5.71
Over	850.00	not over	900.00	-----	6.01
Over	900.00	not over	950.00	-----	6.33
Over	950.00	not over	1,000.00	-----	6.62
Over	\$1,000.00 at rate of \$6.62 per \$1,000.00				

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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">(1) COLLECTION OF CHARGES</p> <p>(a) Except as otherwise provided in this rule, transportation and accessorial charges shall be collected by the carriers prior to relinquishing physical possession of shipments entrusted to them for transportation.</p> <p>(b) Upon taking precautions deemed by them to be sufficient to assure payment of charges within the credit period herein specified, carriers may relinquish possession of freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called debtors, for a period of 7 days, excluding Saturdays, Sundays and legal holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill.</p> <p>(c) Where a carrier has relinquished possession of freight and collected the amount of charges represented in a freight bill presented by it as the total amount of such charges, and another freight bill for additional charges is thereafter presented to the debtor, the carrier may extend credit in the amount of such additional charges for a period of 30 calendar days to be computed from the first 12 o'clock midnight following the presentation of the subsequently presented freight bill.</p> <p>(d) Freight bills for all transportation and accessorial charges shall be presented to the debtors within 7 calendar days from the first 12 o'clock midnight following delivery of the freight.</p> <p>(e) Debtors may elect to have their freight bills presented by means of the United States mail, and when the mail service is so used the time of mailing by the carrier, as evidenced by the postmark, shall be deemed to be the time of presentation of the freight bills.</p> <p>(f) The mailing by the debtor of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit period allowed such debtor may be deemed to be the collection of the charges within the credit period for the purpose of these rules. In case of dispute as to the time of mailing, the postmark shall be accepted as showing such time.</p> <p>(1) Will not apply to the transportation of property for the United States, state, county or municipal governments.</p>	130
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SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p style="text-align: center;">ISSUANCE OF SHIPPING DOCUMENT</p> <p>A shipping document (either in individual or manifest form) shall be issued by the carrier to the shipper for each engagement for transportation. The shipping document shall show the following information:</p> <ol style="list-style-type: none"> <li>(1) Name of carrier.</li> <li>(2) Date of engagement.</li> <li>(3) Address at which shipper is to be billed.</li> <li>(4) Description of the property to be transported.</li> <li>(5) Capacity of equipment, in barrels, ordered or furnished.</li> <li>(6) Point at which equipment is to begin its engagement for transportation.</li> <li>(7) Type of equipment ordered or furnished (vacuum or pump tank truck, trailer or semitrailer).</li> <li>(8) Whether equipment furnished with driver only or With driver and helper.</li> <li>(9) Time of reporting for service of each driver and equipment and each helper (See Note).</li> <li>(10) Time of completion of service of each driver and equipment and each helper (See Note).</li> <li>(11) Time deductible from the elapsed time between (9) and (10) above, including the reason for such deduction, for each driver and equipment and each helper (See Note).</li> <li>(12) The net time after deduction of (11) from the elapsed time between (9) and (10) for each driver and equipment and each helper (See Note).</li> <li>(13) Rate and charge assessed.</li> <li>(14) Signature of carrier or his agent.</li> </ol> <p>The form of shipping document in Item No. 300 will be suitable and proper.</p> <p>A copy of each shipping document shall be retained and preserved by the issuing carrier, subject to the Commission's inspection, for a period of not less than three years from the date of its issuance.</p> <p>NOTE:-Times for (1) each driver and equipment and (2) for helper(s) must be shown separately.</p>	140
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SECTION NO. 2

HOURLY RATES

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San Francisco, California.

SECTION NO. 2 - HOURLY RATES				Item No.
Rates In Dollars per Hour (See Note)				
Capacity of Equipment (in barrels)		(1)	(2)	
<u>More Than</u>	<u>But Not More Than</u>	<u>Territory "A"</u>	<u>Territory "B"</u>	
0	35	\$ 8.75	\$ 9.25	
35	45	9.25	9.75	
45	60	10.25	10.75	
60	80	11.25	11.75	
80	95	12.00	12.50	
95	-	13.00	13.50	
<p>(1) Territory "A" consists of the counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego and Imperial.</p> <p>(2) Territory "B" consists of all counties in California other than those included in Territory "A".</p> <p>NOTE: -The rates named are for transportation by vacuum-type tank vehicles. Where the transportation is performed by pump-type tank vehicles, the applicable rates are \$1.00 per hour less than those for transportation in vacuum-type tank vehicles.</p>				200
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SECTION NO. 3

FORM OF SHIPPING DOCUMENT  
TO WHICH REFERENCE IS MADE IN  
ITEM NO. 140

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SECTION NO. 3 - FORM OF SHIPPING DOCUMENT

Item No. 300

SHIPPING ORDER AND FREIGHT BILL FOR USE WITH RATES  
FOR VACUUM AND PUMP TANK VEHICLES

Date \_\_\_\_\_ Bill No. \_\_\_\_\_

Carrier \_\_\_\_\_  
(Must be Same as Shown on Permit)

Shipper \_\_\_\_\_ Billing Address \_\_\_\_\_

Description of Property Transported \_\_\_\_\_

Starting Point of Service \_\_\_\_\_

Type and Capacity of Equipment Ordered or Furnished:

<u>TYPE</u>	<u>VACUUM</u>	<u>PUMP</u>	<u>CAPACITY IN BARRELS</u>
Tank Truck	<input type="checkbox"/>	<input type="checkbox"/>	_____
Tank Trailer	<input type="checkbox"/>	<input type="checkbox"/>	_____
Tank Semitrailer	<input type="checkbox"/>	<input type="checkbox"/>	_____
With Driver Only	<input type="checkbox"/>	With Driver and Helper	<input type="checkbox"/>
		Number of Helpers	<input type="checkbox"/>

Capacity of Equipment in Barrels *(See Note)	T I M E				Rate	Charges
	Started	Completed	Deductible	Net		
Helper(s)						

\*Note: If charges are based on different capacity than that of equipment ordered or furnished, explain basis used.

TOTAL CHARGES \_\_\_\_\_

Explanation of Deductible Time _____	Prepaid _____
Signature of carrier or agent _____	Total to Collect _____
This record is to be retained for a period of not less than three years.	Date Paid _____

END OF TARIFF

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San Francisco, California.

APPENDIX "C" OF DECISION NO. 55584

List of Common Carriers Referred to in  
Ordering Paragraph No. 3 of Said Decision

Arthur P. Anderson, doing business as  
Arthur P. Anderson Oil Field Contractor  
199 Supply Row  
Taft

Grace N. Barnett, doing business as  
Marvin Barnett Petroleum Service  
337 - 3rd Street  
Fillmore

Capitol Tank Line, Inc.  
3743 E. Florence Avenue  
Bell

Chancellor & Ogden, Inc.  
3365 Cherry Avenue  
Long Beach

Coast Tank Service Co., a corporation  
1634 East Denni Street  
Wilmington

Geo. A. Donaldson & John C. Tyler, a  
partnership doing business as  
Basin Vacuum Truck Service  
3061 Charlemagne Street  
Long Beach

Gene E. East, doing business as  
Vacuum Truck Service  
P. O. Box 157  
Lomita

El Jo Corporation  
12540 E. Los Nietos Road  
P. O. Box 207  
Los Nietos

Fix & Brain Vacuum Truck Service  
a corporation  
233 "D" Street  
Wilmington

R. L. Floyd, doing business as  
R. L. Floyd Vacuum & Pump Truck Service  
597 Second Street  
San Bernardino

Geo. W. Forquer, Joseph V. Brink and  
Max Rudolph, a partnership doing  
business as  
Max Rudolph Co.  
1313 Ventura Street  
Santa Paula

Gilliard Petroleum Service, Inc.  
2 Stanley Road  
P. O. Box 218  
Ventura

Walter E. Gilliard & Glen E. Price, a  
partnership doing business as  
W. E. Gilliard Vacuum Truck Service  
918 Crenshaw Blvd.  
Terrance

Eddie Hanks, doing business as  
Eddie Hanks Vacuum Truck Co.  
1122 Lyons Avenue  
Newhall

Floyd R. Harvey, doing business as  
Harvey Vacuum Truck Service  
1438 Ronan Avenue  
Wilmington

J & G Oil Well Service, a corporation  
P. O. Box 595  
Ventura

Jackson Supply Co., Inc.  
Box 542  
Taft

Roy L. Johnston, doing business as  
Johnston Vacuum Tank Service  
432 Naylor Avenue  
Taft

Lacey Trucking Co., a corporation  
2694 Lime Avenue  
Long Beach

B. L. Lunsford, doing business as  
Lunsford Tank Lines  
P. O. Box 372  
Maricopa

Kyle O. Mayes & Jimmie C. Mayes,  
a partnership doing business as  
Kyle O Mayes Company  
18703 S. Broadway  
Gardena

John C. Moody  
Route 1, Box 541  
Ventura

V. B. Morgan Co., a corporation  
Star Route 1A, Box 400  
Barstow

R. H. Morrison  
2705 Dawson Avenue  
Long Beach 5

National Tank Lines, a corporation  
812 South Greenleaf Avenue  
Whittier

APPENDIX "C" (Continued)

Thomas Neely, doing business as  
Neely's Vacuum Truck Service  
P. O. Box 1026  
Newhall

A. L. Nickson, doing business as  
Nickson's  
1045 W. Chapel Street  
Santa Maria

Oilfields Vacuum Service, Inc.  
P. O. Box 1604  
Bakersfield

Irving P. Osborn & Harry M. Ditmore,  
a partnership doing business as  
B & O Service Co.  
P. O. Box 127  
Santa Maria

Parker & Martin, Inc.  
12282 East Whittier Road  
La Habra

Ottis E. Pittman & Earl T. Pittman,  
a partnership doing business as  
Ott's Vacuum Truck Service  
514 E. Fir Street  
Broa

L. W. Potter Trucking Co., a corporation  
403 Real Road  
Bakersfield

Prosidont Tank Lines, Inc.  
724 S. Wilson Street  
Los Angeles 21

Dudloy T. Prescott  
107 E. Centor Street  
Ventura

Perry A. Rodwine, doing business as  
B & R Service Co.  
P. O. Box 45  
Cuyama

Burnell H. Richards, doing business as  
Rich-San Service Co.  
P. O. Box 1803  
Santa Maria

Routh Transportation, a corporation  
800 W. 15th Street  
Long Beach 13

L. A. (Miko) Schager  
800 W. 15th Street  
Long Beach 13

Frank G. Silva & Byron Eames, a  
partnership doing business as  
Richards Trucking Co.  
605 Pinal Street  
Orcutt

Bill T. Small, doing business as  
Bill T. Small Vacuum Truck Co.  
1506 Lyons Avenue  
Newhall

T. A. Smith, doing business as  
T. A. Smith Trucking  
233 N. Garden  
Ventura

Superior Vacuum Truck Service,  
a corporation  
1730 Cota Avenue  
Long Beach

Union Truck Co., Inc.  
2481 N. Ventura Avenue  
Ventura

Valloy Vacuum Tank Truck Service, Inc.  
P. O. Box 1558  
Bakersfield

W. R. Webster & W. D. Webster, a  
partnership doing business as  
Webstor Tank Truck Service  
4107 E. 52nd Street  
Maywood

(End of Appendix "C")