

ORIGINALDecision No. 55964

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 Minimum Rate Tariff No. 6).)

Case No. 5436

Petition No. 20

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 California Trucking Associations, Inc., petitioner.

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M. G. Hitchcock, W. L. Lykke, and J. C. Morse,
 for various respondent carriers.

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E. C. Hurley, John Ennis, W. H. Adams by J. R. MacLean,
Paul H. Moore, Dale Finley, A. D. Carleton by
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William J. Knoell, for Western Motor Tariff Bureau, Inc.,
 interested party.

Norman Haley and Fred P. Hughes, for the staff of the
 Public Utilities Commission of the State of California.

O P I N I O N

By petition filed July 15, 1957, the California Trucking Associations, Inc., seek modifications and revisions in the minimum rates, rules and regulations of Minimum Rate Tariff No. 6 applicable to the transportation of bulk petroleum products in tank-truck equipment within California. On September 19, 1957, subsequent to notice to persons and parties believed to be interested, public hearing on the petition was held before Examiner C. S. Abernathy at Los Angeles.

Evidence was submitted by petitioner through a cost engineer and through its director of research. Representatives of various carriers and shippers and of the Commission's staff participated in the development of the record.

Petitioner seeks (a) the establishment of specific minimum rates to apply for the transportation of automotive gasoline to gasoline service stations located within a defined area in and about the City of Los Angeles; (b) the addition to the tariff of certain definitions pertaining to loading and unloading; (c) a reduction in the free time allowance for loading and unloading of shipments of asphalt and road oil; (d) the establishment of an additional charge to apply in cases of emergency routing of shipments; (e) the cancellation of certain zone rates for the transportation of crude oil; (f) a reduction of one-half cent per hundred pounds in the present rate of $3\frac{1}{2}$ cents per hundred pounds for the transportation of crude oil. These several matters and the conclusions thereon are discussed hereinbelow.

Rates for Automotive Gasoline

In connection with the transportation of automotive gasoline to service stations in Los Angeles and Orange Counties within the area lying generally between the San Gabriel Mountains on the north, the Pacific Ocean on the south, Pomona and Santa Ana on the east, and Santa Monica and San Fernando on the west, petitioner proposes the establishment of a charge of \$135 per unit of carrier's equipment per 24-hour period, subject to an additional charge of .08 cents per gallon for deliveries in excess of 25,000 gallons within the 24 hours.

Where unloading of the total quantity tendered within

a 24-hour period cannot be completed within the same period, an unloading charge of \$7 per hour for the number of hours to complete unloading would apply.

Petitioner states that at the present time the delivery of automotive gasoline to service stations in the Los Angeles metropolitan area is being performed predominantly by proprietary means. The present minimum rates assertedly do not reflect the economies of operation that are obtained in such service. The proposed rates are intended to attract this transportation to for-hire carriers.

According to data which were presented by a cost engineer for petitioner, estimated costs of providing the service are approximately \$165 per vehicle unit. This figure is exclusive of allowance for profit. In submitting these cost data the cost engineer said that they had been derived on the basis of carriers' actual experience wherever possible. He said, however, that since the service is being performed largely by proprietary carriers, estimates had to be relied upon to a considerable extent.

Notwithstanding the fact that the proposed rate of \$135 per unit of carrier's equipment is less than the cost estimate of the cost engineer, petitioner urged through its director of research that the sought rates be established. The key to profitable performance of the service, the research director declared, is in an increased utilization of equipment that is expected under the rates. He said that it is the carriers' belief that with the rates in effect the carriers will be able to realize greater usage of their equipment than that upon which the cost engineer's study was developed and that as a result of this greater usage the carriers will be able to operate profitably at the proposed rates.

Establishment of the sought rates was also urged by representatives of several large shippers of automotive gasoline within the area involved. These representatives stated that if the rates are established their respective companies would divert to for-hire carriers shipments which are now being transported by company-owned vehicles.

The transportation service with which this proposal deals is one of substantial volume. Inasmuch as the transportation is being performed predominantly by proprietary facilities, it appears that petitioner justifiably alleges that the minimum rates which now apply are not reasonably suited thereto. It is clear that in seeking the establishment of the rates which are proposed, petitioner is advocating a basis of rates which, as a matter of business judgment, it believes will enable for-hire carriers to participate in the traffic to a much greater extent than they have in the past and which will prove profitable in actual operations. The record herein is not one that would ordinarily support the establishment of the sought rates as minimum rates. Nevertheless it is concluded that in this instance departure from customary standards is justified in the interests of establishing just and reasonable rates which will meet the needs of the shippers and will promote the well-being of the carriers. To this end it appears that the sought rates should be prescribed. The rates will be made to apply in conjunction with

all movements of automotive gasoline within the area referred to hereinabove instead of being limited to deliveries to automotive service stations as petitioner proposed. Such a limitation does not appear to be consistent with the Constitutional and statutory prohibitions against discrimination.

Loading Time and Unloading Time

Petitioner asks that definitions of "loading time" and "unloading time" be included in Minimum Rate Tariff No. 6 in order to eliminate present uncertainty concerning what is included in "loading" and "unloading" as these terms are now used in the tariff provisions relating to demurrage. Recommended definitions were submitted by petitioner as a remedy for the alleged uncertainties. Petitioner also proposed corresponding revisions in the demurrage provisions. ✓

The recommended changes appear desirable in the interests of tariff clarity. They will be adopted with minor modifications made also for clarity purposes.

Free Time for Loading and Unloading of Asphalt and Road Oil

Minimum Rate Tariff No. 6 currently provides allowances of two hours free time for loading and two hours free time for unloading and spreading in connection with shipments of asphalt and road oil. Petitioner proposes that the allowance for loading be reduced to one

✓ The changes which petitioner recommends be made in the demurrage item also include a change in the method for computing free time in connection with shipments of refined petroleum products, black oils, crude oil, and liquefied petroleum gases. At present free time commences when a carrier's employee reports to the consignor or consignee that the tank vehicle is available for loading or unloading. Under the sought provisions free time would commence when the vehicle is placed in position for loading or unloading. This change would be partly offset by the effect of the revised definitions dealing with loading and unloading. Apparently the net change would not be of material significance insofar as practical operations are concerned.

hour and that the allowance for unloading and spreading be reduced to one and one-half hours. In support of this proposal petitioner states that experience has shown that the present allowances are greater than are reasonably required. Assertedly the proposed allowances are adequate and will tend to promote more economical use of the carrier's equipment.

The reduction in free time which petitioner seeks was not opposed. It appears reasonable in the circumstances here shown. The tariff provisions will be revised accordingly.

Additional Charge for Emergency Routings

Petitioner's proposal in this regard is that an additional charge be established to apply in instances where carriers are obligated by slides, washouts and other restrictive conditions to traverse circuitous routes which would exceed 115 percent of the short-line distance between point of origin and point of destination. The establishment of such a charge is sought in order that the carriers may be compensated when they are required to travel substantially longer distances because of transportation conditions beyond their control.

This proposal will not be adopted. First, the circumstances in which the additional charge would apply are not defined with the certainty required for tariff purposes; consequently, determinations cannot be readily made when the proposed rule would be invoked. Second, even though the less definite provisions were omitted from petitioner's proposal and the operation of the additional charge were confined to instances such as slides, washouts, and Acts of God, the application of the charge in conjunction with transportation performed at the zone rates in Minimum Rate Tariff No. 6 would be uncertain,

inasmuch as the short-line distance between point of origin in one zone and point of destination in another zone does not enter into the determination of the applicable rate. Instead, the governing distance is the distance between designated basing points for the zones. This distance may be greater than, the same as, or less than either the short-line distance or the distance actually travelled in connection with a specific delivery.

Apart from these considerations the reasonableness of the basis upon which the proposed charge would be applied, namely, the distance in excess of 115 percent of the short-line distance between origin and destination, was not established. It appears that the normal operations of carriers over regularly authorized routes may entail various degrees of circuitry over the short-line distances.^{2/} Notwithstanding this fact it appears from tariffs which the carriers have on file with the Commission that the rates which the carriers assess do not generally include an additive for circuitous routings in normal operations, but instead are based on short-line mileages. In the circumstances it would seem that precedent to establishment of a charge for circuitous routings due to abnormal conditions, it should be ascertained what may be deemed to be the limits of normal circuitry for which the carriers make no charge. Whether the proposed factor of 115 percent of the short-line distance is a reasonable maximum limit of normal circuitry is a matter which cannot be determined on this record.

^{2/} In some instances the degree of circuitry over the short-line distance may be quite substantial, particularly in instances where the point of origin, the point of destination, or both, are located on a lateral, or laterals, stemming from the carrier's prescribed routes. In the granting of operating authority to highway common carriers of petroleum products, the Commission in numerous instances has authorized operations along specified routes with the right to make lateral departures within a radius of 50 miles of said routes. Obviously, transportation service which entails lateral departures from the specified routes would ordinarily involve greater mileage than corresponding service over direct routes between origin and destination.

As further grounds for our conclusions herein that the sought emergency routing provisions are not suitable for adoption into Minimum Rate Tariff No. 6, it may be pointed out that under petitioner's proposal the additional charges would not apply unless prior acquiescence thereto is obtained from the shipper. Thus, irrespective of whether the physical operating conditions are such that the additional charge would be justified, the imposition of the charge in a particular circumstance is dependent upon the respective bargaining abilities of the shipper and carrier involved. Provisions of this kind do not lend themselves to the application of nondiscriminatory charges. Furthermore, it may be questioned whether under such provisions a shipper's refusal to agree to additional charges where emergency routing is involved would constitute justifiable grounds for a common carrier to decline the shipper's request for carriage.

Rates for the Transportation of Crude Oil

Petitioner proposes the cancellation of rates in Minimum Rate Tariff No. 6 for the transportation of crude oil within specified zones throughout the state and within and between certain sub-zones located in the southern portion of Los Angeles County (that portion of the county lying generally south of Beverly Hills, Montebello and Whittier).^{3/} These rates range from 2.3 cents per hundred pounds for transportation within a single sub-zone to more than 7 cents per hundred pounds for transportation through several sub-zones. Upon

^{3/} Petitioner's proposals also include a request for cancellation of similar rates which apply for the transportation of crude oil from Canoga Park and vicinity to the aforesaid portion of Los Angeles County.

cancellation of such rates the rates which would apply for the transportation of crude oil within and between the areas involved would be the distance rates in the tariff which are higher.^{4/} In order to modify the increases which would result, particularly those in the rates for the shorter distances (which increases would be the greatest increases, percentage wise), petitioner proposes that the present distance rates of $3\frac{1}{2}$ cents per hundred pounds for distances not in excess of 5 miles be reduced to 3 cents per hundred pounds.

As justification for the various changes, petitioner alleges that the rates which it seeks to have cancelled have ceased to be reasonable and practicable because of changes which have occurred in traffic and commercial conditions during the past several years. By way of example petitioner's director of research stated that since the crude oil rates from Canoga Park and vicinity were first established the areas that were formerly oil fields have been converted into industrial or residential sites and that as a consequence there now is but little, if any, movement of crude oil from the Canoga Park district. He declared that for similar reasons the transportation of crude oil in other areas also has diminished with a corresponding reduction in the need for continuation of the crude oil rates. With reference to the level of the present crude oil rates he declared

^{4/} Examples of the distance rates are as follows:

<u>Rates for the Transportation of Crude Oil</u>		
<u>Distance in Miles</u>		<u>Rate in Cents</u>
<u>Over</u>	<u>But Not</u>	<u>per 100 Pounds</u>
<u>Over</u>	<u>Over</u>	
0	5	$3\frac{1}{2}$
5	10	$3\frac{1}{2}$
10	15	4
15	20	$4\frac{3}{4}$
20	25	$5\frac{1}{4}$
25	30	$6\frac{1}{4}$

that the rates are unduly low for the reasons that adjustments thereof have not kept pace with increases in carriers' operating costs in recent years. According to data which were presented by petitioner's cost witness, the costs of transporting crude oil now are as follows:

<u>Length of Haul</u>	<u>Costs in Cents* per 100 Pounds</u>
10	3.8
20	5.6
30	7.1
50	10.1
75	13.8

*The costs shown are exclusive of any provision for profit.

The rate cancellations which petitioner seeks (except those pertaining to the rates from the Canoga Park area) were opposed by interested shippers of crude oil. According to statements of representatives of these shippers the rate increases which would result from cancellation of the sub-zones and the rates therefor would be as much as 50 percent and the overall increases in charges would be about 25 percent.^{5/} They said that with such increases in costs their companies would almost certainly turn to proprietary trucking operations or to transportation by pipe lines. They also opposed cancellation of the zone rates on the grounds that such action would materially add to the work and expense of checking the applicable transportation charges. They urged that instead of cancellation of the zone rates the rates be adjusted to a reasonable level if, in fact, they are unreasonably low.

^{5/} The amount of the resultant increases apparently was misunderstood. It appears that the maximum increase would be approximately 30 percent instead of 50 percent.

Except as hereinafter provided, the zone and rate cancellations which petitioner seeks will not be made. The zone and sub-zone rates for the transportation of crude oil in the Los Angeles area were established originally to give recognition to special competitive and commercial conditions in the area (Decision No. 31531, dated December 5, 1938, Case No. 4249). The evidence herein is not persuasive that those conditions have so changed that the zone provisions (except those pertaining to Canoga Park) reasonably may be cancelled. The zone provisions from Canoga Park and vicinity will be cancelled, however, since it appears that the circumstances upon which they were based have virtually disappeared. Cancellation of the intra-zone rates for crude oil otherwise does not appear justified.

Although it is thus concluded that the rates for the transportation of crude oil should be retained in their present form, it appears that adjustments should be made in the volume of the sub-zone rates to give effect to increases in carriers' operating costs since the rates were first established at their current level in September, 1953. The data which were presented by petitioner's cost witness were not designed so that they show the present costs of service within and between the sub-zones. Nevertheless, they afford a means for approximating the amount by which the operating costs of carriers of crude oil in the Los Angeles area have increased during the past four years. On this basis it appears that an increase of 10 percent in the sub-zone rates would be necessary to compensate the carriers for the increased costs which they have experienced. Accordingly, an increase of this amount in the sub-zone rates will be prescribed.

Upon careful consideration of all of the facts and circumstances of record, the Commission is of the opinion and finds as a fact that petitioner's proposed amendments to Minimum Rate Tariff No. 6 have been shown to be reasonable and justified to the extent that said amendments are incorporated in Minimum Rate Tariff No. 6 by the order which follows. To this extent the sought revisions in the minimum rates will be granted. In conjunction with the establishment of the revised rates, rules and regulations which the following order prescribes, petitioner requests that common carriers be authorized to depart from the so-called long- and short-haul provisions of the State Constitution and of the Public Utilities Act to the extent necessary to comply with the order. The authority which is sought in this respect will be granted also.

O R D E R

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

IT IS HEREBY ORDERED:

1. That Minimum Rate Tariff No. 6 (Appendix "C" of Decision No. 32608, as amended) be, and it is, hereby further amended by incorporating therein, to become effective February 1, 1958, the revised pages attached hereto and listed in Appendix A, which pages and Appendix by this reference are made a part hereof.
2. That in all other respects the aforesaid Decision No. 32608, as amended shall remain in full force and effect.

3. That tariff publications required or authorized to be made by common carriers 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 February 1, 1958.
4. That common carriers, in establishing and maintaining the rates and charges authorized hereinabove, be and they are authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 460 of the Public Utilities Code, to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; that such outstanding authorizations be and they are modified only to the extent necessary to comply with this order; and that common carriers in publishing rates under the authority conferred in this ordering paragraph shall make reference in their schedules to the prior orders authorizing the long- and short-haul departures and to this order.
5. That Petition No. 20 in Case No. 5436 be denied to the extent that it is not granted by the order herein.

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

Dated at San Francisco, California,
this 16th day of December, 1957.

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

APPENDIX "A" TO DECISION NO. 55964

Supplemental and Revised Pages to Minimum
Rate Tariff No. 6 Authorized by Said Decision

Fourteenth Revised Page 2 Cancels Thirteenth Revised Page 2

Eighth Revised Page 3 Cancels Seventh Revised Page 3

Tenth Revised Page 6 Cancels Ninth Revised Page 6

Tenth Revised Page 8 Cancels Ninth Revised Page 8

Ninth Revised Page 11 Cancels Eighth Revised Page 11

Sixth Revised Page 14 Cancels Fifth Revised Page 14

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End of Appendix "A"

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*Change)
#Addition) Decision No. **55964**

EFFECTIVE FEBRUARY 1, 1958

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San Francisco, California.

Correction No. 167

INDEX OF GROUP POINTS AND POINTS FROM AND TO WHICH RATES APPLY			
POINT	Group No. (Except As Shown)	POINT	Group No.
Avenal	9	Fillmore	8
Bakersfield	4	Lost Hills	10
Baths	15	Mt. Poso	12
Brea	13	Orcutt	14
***		Petaluma	18
Carpinteria	7	Pinole	2
Chrisman	Item No. 46 series	Rough and Ready Island	16
Coalinga	3	Sacramento	15
Colusa	17	San Francisco	1
Compton	6	Stockton	16
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*** Canoga Park eliminated, Decision No. 55964

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 San Francisco, California.

Correction No. 168

Item No.	SECTION NO. 1 RULES AND REGULATIONS
<p>*10-J Cancels 10-I</p>	<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p>CARRIER means a petroleum contract carrier, or city carrier, as defined in the Highway Carriers' Act and in the City Carriers' Act.</p> <p>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>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>DISTANCE TABLE means Distance Table No. 4.</p> <p>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</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>#LOADING TIME means that time which commences when carrier's equipment is placed in position to load and which terminates when carrier's equipment is released for departure from point of origin.</p> <p>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>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>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>RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p>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>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>

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.

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.

#UNLOADING TIME means that time which commences when carrier's equipment is placed in position to unload and/or spread and which terminates when carrier's equipment is released for departure from point of destination. It also includes time spent in weighing, sampling and/or the processing of samples even though such time may be spent prior to the placement of the equipment in position to unload or spread.

APPLICATION OF TARIFF - GENERAL

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.

20-F
Cancels
20-E

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)
#Addition) Decision No. 55964

EFFECTIVE FEBRUARY 1, 1958

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San Francisco, California.

Correction No. 169

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
*40-J Cancels 40-I	<p style="text-align: center;">APPLICATION OF TARIFF - TERRITORIAL GROUPS</p> <p>Rates from, to or between all points in the groups described in Items Nos. 41 to 45, inclusive, but not between points in the same group, shall be the rates in Section 2 of this tariff applicable from, to or between the mileage basing points designated in connection with the groups. (Subject to exception provided in Notes 1 and 2 of Item No. 46.) (See Item No. 60.)</p> <p>*Where streets, railway lines, rights of way, and water courses are used in Items Nos. 41 to 45, inclusive, and #Item No. 250, to define boundaries, the center line of such streets, railway lines, rights of way and water courses will constitute the boundary lines.</p> <p>The term "street" as used above will be synonymous with "avenue", "boulevard", "drive", "lane", "terrace", "road", or other designation thereof.</p> <p>Where the term "shoreline" or "ocean" is employed as a boundary line, such boundary line shall be construed to embrace any pier or wharf extending into the adjacent body of water.</p>
41	<p style="text-align: center;">GROUP NO. 1 - MILEAGE BASING POINT - SAN FRANCISCO</p> <p>Beginning at the Pacific Ocean and the southern city limits of Daly City, thence northerly, easterly and southerly along the shoreline of the Pacific Ocean and San Francisco Bay, around the city of San Francisco, to the southern city limits of South San Francisco, thence westerly along the southern city limits of South San Francisco to U.S. Highway 101 Alternate, southerly along U.S. Highway 101 Alternate to the southern city limit and its prolongation of the city of San Bruno, westerly along the southern city limits of San Bruno to the San Bruno - Crystal Springs Road, westerly along the San Bruno - Crystal Springs Road to Junipero Serra Boulevard, northerly on Junipero Serra Boulevard to the southern city limits of Daly City, westerly along the southern city limits of Daly City to point of beginning.</p>
<p>* Change) # Addition) Decision No. 55964</p>	
<p>EFFECTIVE FEBRUARY 1, 1958</p>	
<p>Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 170</p>	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
<p>130-E Cancels 130-D</p>	<p>SHIPMENTS DIVERTED, RETURNED, OR STOPPED IN TRANSIT FOR PARTIAL LOADING OR UNLOADING (Does not apply to split delivery shipments for which rates and charges are provided in Item No. 87.)</p> <p>(a) Charges upon a shipment which at request of consignor or consignee is either diverted or stopped in transit for partial loading or unloading, or any of them, shall be computed at the rate applicable from point of origin to the point where delivery is completed via each of the points where diversion occurs or partial loading or unloading is performed. (Subject to Notes 1, 2, 3 and 5.)</p> <p>(b) Charges upon a shipment or a portion of a shipment returned to point of origin, or to a point directly intermediate between last point of diversion and point of origin, shall be computed by adding to the full charge to last point of diversion the charge at one half the rate provided in Section 2 from the latter point to point of origin on the gallonage returned, subject to minimum charge provided in Item No. 80 applicable to the shipment or portion returned, or \$20, or the charge computed on the basis provided in paragraph (a) of this item for the round trip movement, whichever is the lowest. (Subject to Notes 1, 2, 3, 4 and 5.) The provisions of this paragraph will also apply to the return of contaminated shipments, or portions thereof. (Subject to Notes 1, 2, 3, 5 and 6.)</p> <p>NOTE 1 - Charges upon a shipment of crude oil transported under the provisions of Item No. 210 shall be computed at the highest rate provided to any point where diversion occurs or delivery is performed.</p> <p>NOTE 2 - Shipments shall be subject to an additional charge of \$6.25 for each stop in transit to partially load or unload.</p> <p>NOTE 3 - Shipments shall be subject to an additional charge of \$4.00 for each diversion. This charge shall be in addition to all other charges provided herein.</p> <p>NOTE 4 - Applies only to property returned prior to unloading from carrier's equipment.</p> <p>NOTE 5 - A diverted shipment is a shipment on which a point of destination or consignee is changed, or both are changed, after the shipment leaves the point of origin.</p> <p>NOTE 6 - Applies only to returns made in conjunction with an out-bound movement from the plant to which the contaminated property is returned.</p>
<p>*140-E Cancels 140-D</p>	<p>DEMURRAGE OR DETENTION CHARGES</p> <p>1. Applies only in connection with transportation of refined petroleum products, black oils, crude oil, and liquefied petroleum gas.</p> <p>(a) A charge of \$1.29 for each one-quarter hour, or fraction thereof, shall be assessed for the time carrier's equipment is detained through no fault of the carrier to complete loading or unloading in excess of the free time specified in paragraph (b).</p> <p>*(b) Two hours free loading and three hours free unloading time shall be allowed.</p>

2. Applies only in connection with transportation of asphalt and road oil:

(a) Charges as set forth in paragraph (c) hereof shall be assessed for the time carrier's equipment is detained, through no fault of the carrier, to complete loading, unloading or spreading after expiration of the free time specified in paragraph (b).

*(b) One hour free loading time and one and one-half hours free unloading time shall be allowed (See Note 1).

(c) The following detention or demurrage charges for excess loading, unloading or spreading shall be made:

(1) LOADING:

\$6.40 per hour, fractions of an hour to be prorated.

(2) UNLOADING:

\$6.40 per hour, fractions of an hour to be prorated.

(3) SPREADING:

\$8.40 per hour, fractions of an hour to be prorated.

NOTE 1.-When shipper or consignee orders load to be delivered at a specifically designated time and carrier has its equipment at destination point at designated time and consignee cannot receive delivery as ordered, free time will commence at the time designated for delivery.

* Change, Decision No. 55964

EFFECTIVE FEBRUARY 1, 1958

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San Francisco, California.
Correction No. 171

Item No.	SECTION NO. 2		RATES (Continued)												
	In cents per 100 pounds														
	PETROLEUM CRUDE OIL as described in Item No. 30														
	<p>Column "A" rates apply for transportation when consignor's facilities do not permit loading, or consignee's facilities do not permit delivery, 24 hours per day.</p> <p>Column "B" rates apply only for transportation when consignor's facilities permit loading, and consignee's facilities permit delivery, 24 hours per day.</p> <p>See Item No. 220 for description of Crude Oil Groups.</p>														
	BETWEEN														
	CRUDE OIL GROUPS														
	AND	A		B		C		D		E		F		G	
		Column A	Column B	Column A	Column B	Column A	Column B	Column A	Column B	Column A	Column B	Column A	Column B	Column A	Column B
	Crude Oil Group														
*210-F Cancels 210-E	A	3.1	2.5	-	-	-	-	-	-	-	-	-	-	-	-
	B	4.0	3.1	3.1	2.5	-	-	-	-	-	-	-	-	-	-
	C	6.3	5.1	4.8	4.0	3.1	2.5	-	-	-	-	-	-	-	-
	D	7.9	6.5	6.5	5.4	4.0	3.1	3.1	2.5	-	-	-	-	-	-
	E	5.7	4.8	5.1	4.0	4.3	3.4	5.4	4.5	3.1	2.5	-	-	-	-
	F	4.0	3.1	4.0	3.1	4.8	4.0	6.5	5.4	4.0	3.1	3.1	2.5	-	-
	G	5.1	4.3	3.6	2.9	4.0	3.1	5.1	4.5	5.1	4.0	4.8	4.0	3.1	2.5
	H	6.3	5.1	5.7	4.5	4.0	3.1	4.8	4.0	4.3	3.4	4.8	4.0	4.3	3.4
	I	5.1	4.3	3.6	2.9	4.3	3.4	5.7	4.8	6.3	5.1	5.7	4.5	3.6	2.9
	Group 13	8.3	6.8	7.4	6.3	5.1	4.0	4.8	4.0	4.8	4.0	6.5	5.4	6.8	5.7
	CRUDE OIL GROUPS														
		H		I											
	Crude Oil Group	Column A	Column B	Column A	Column B										
	H	3.1	2.5	-	-										
	I	4.8	4.0	3.1	2.5										
	Group 13	4.8	4.0	7.4	6.3										
*Change *Increase		} Decision No. 55964													
EFFECTIVE FEBRUARY 1, 1958															
Issued by the Public Utilities Commission of the State of California; San Francisco, California.															
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Item No.	SECTION NO. 2		RATES (Concluded) In Cents per 100 Pounds
*230-D Cancels 230-C	◊ Item canceled.		
240-F Cancels 240-E	(1) COMMODITY	BETWEEN	RATE
	Refined Petroleum Products and Black Oils	Points within one Territorial Group or Points within one incorporated city	5½
	Crude Oil		(2) 3½
	Liquefied Petroleum Gas	(See Notes 2, 3, 4 and 5.)	6
Asphalt and Road Oil	7 ¾		

- (1) See Item No. 30 for description of commodities.
 (2) Will not apply to transportation for which rates are specifically provided in Item No. 210.

*NOTE 1.-Canceled.

NOTE 2.-Will not apply between points situated within that portion of the City of Los Angeles lying north of the northern boundary line of Group 6, as described in Item No. 43; nor between such points on the one hand and points situated within that portion of the City of Los Angeles lying south of said boundary line on the other.

NOTE 3.-See Items Nos. 41 through 45, inclusive, for description of numbered Territorial Groups.

NOTE 4.-Will not apply to transportation performed under provisions of Item No. 130. (Shipments diverted, returned, or stopped in transit for partial unloading.)

NOTE 5.-Will not apply to transportation of black oils, as described in Item No. 30, from Chrisman to points located within the territory described in Note 1 of Item No. 46.

* Change }
 ◊ Increase } Decision No. 55964

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Correction No. 173

Item
No.

SECTION NO. 2-RATES (Continued)

VEHICLE UNIT RATES FOR TRANSPORTATION OF
AUTOMOTIVE GASOLINE

The rates in this item apply for the transportation of automotive gasoline between points within the Los Angeles-Orange County Tank Truck Territory, as hereinafter described, when performed subject to and in accordance with the provisions of Notes 1, 2, 3, 4, 5 and 6.

The provisions of this item apply only when, prior to the transportation of the property, the shipper has requested in writing that the transportation be performed under the provisions of this item, and when the rate per unit of carrier's equipment per period of 24 consecutive hours is prepaid (see Item No. 260).

Rate per unit of carrier's equipment per period
of 24 consecutive hours \$135.00

#250
NOTE 1.-The rate herein provided applies for the transportation of 25,000 gallons of automotive gasoline or less by one unit of carrier's equipment within a period of 24 consecutive hours. When more than 25,000 gallons of gasoline are tendered to, and are delivered by the carrier by one unit of equipment within said 24-hour period, an additional charge of \$.0008 per gallon shall apply to the quantity delivered in excess of 25,000 gallons. If, at the expiration of the 24-hour period, any portion of the quantity tendered during the period remains undelivered in the carrier's equipment, a charge of \$1.75 per one-quarter hour, or fraction thereof, shall apply for the time thereafter required to complete delivery of such portion. For the purposes of applying the provisions of this note time shall be computed from the time of arrival of carrier's equipment at first point of origin.

NOTE 2.-As used in this item "unit of carrier's equipment" means any tractor, tank motor truck, tank trailer or tank semi-trailer, or any combination of such highway vehicles operated together as a single unit. It also includes any of such vehicles used in the replacement of a unit of carrier's equipment, or a portion thereof, which has become inoperable while engaged in transportation under this item.

NOTE 3.-When transportation is performed under the provisions of this item, the following rules will not apply:

- Item 80 - Minimum Charge;
- Item 87 - Split Delivery;
- Item 100 - Pumping;
- Item 130 - Shipments Delivered, Returned or Stopped in Transit for Partial Loading or Unloading;
- Item 140 - Demurrage or Detention Charges;
- Item 150 - Issuance of Shipping Documents;
- Item 175 - Allowance for Delivery after Hours.

NOTE 4.-The charge for collecting and remitting amounts collected on C.O.D. shipments transported under the provisions of this item shall be \$2.25 per collection.

NOTE 5.-The Los Angeles-Orange County Tank Truck Territory is that territory bounded as follows:

Beginning at the Pacific Ocean and the projected line of Sunset Boulevard, easterly and northerly along said projected line and Sunset Boulevard to State Highway No. 7, northerly along State Highway No. 7 to Foothill Boulevard, northeasterly and southeasterly along Foothill Boulevard and State Highway No. 118 to and including the City of Pasadena; easterly along Foothill Boulevard to State Highway No. 71, south on State Highway No. 71 to and including the City of Pomona, westerly and southwesterly on Fifth Street and Brea Canyon Road to and including the City of Fullerton, southerly on Spadra Road and Los Angeles Street to U.S. Highway No. 101 including the Cities of Anaheim and Orange, southeasterly on U.S. Highway No. 101 to and including the City of Santa Ana, southerly on Main Street and its prolongation to the Pacific Ocean, northwesterly along the shore line of the Pacific Ocean to point of beginning.

NOTE 6.-A shipping document shall be issued by the carrier to the shipper for each engagement for transportation. The form of shipping document in Item No. 330 will be suitable and proper.

A copy of each shipping document shall be retained and preserved by the issuing carrier for a period of not less than three years from the date of issuance.

Addition, Decision No. 55964

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Correction No. 174

Item
No.

SECTION NO. 2 - RATES (Concluded)

WRITTEN AGREEMENT

Prior to the transportation of automotive gasoline under the provisions of Item 250, the shipper must enter into a written agreement with the carrier. The agreement should contain the following information:

- (1) Name and address of carrier.
- (2) Name and address of shipper.
- (3) Date of engagement.
- (4) Period of agreement.
- (5) Rates and other charges agreed upon.
- (6) Size and type of equipment to be used.
- (7) The agreement shall be in substantially the following form.

#260

	Date _____
In accordance with the provisions of Item 250 of Minimum Rate Tariff No. 6, I hereby elect to have automotive gasoline transported by _____	
	(Name of Carrier)
under the rates and provisions of Item No. 250 of said tariff, subject to the following terms:	
Date of engagement _____	
Period of agreement _____	
Capacity of unit of equipment _____	
Identification of equipment _____	
Rate per unit of equipment for period of 24 consecutive hours _____	
(25,000 gallons or less) _____ (to be prepaid)	
Rate per gallon for gasoline delivered in excess of 25,000 gallons during the 24-hour period _____	
Rate per $\frac{1}{2}$ hour for time in excess of 24 hours _____	
Charge for additional service _____	
Shipper _____	By _____
(Name in full)	(Name in full)
Address _____	
Confirmed:	
Carrier _____	By _____
	(Name in full)
Address _____	

Addition, Decision No. 55964

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Correction No. 175

Second Revised Page.....20
Cancels
First Revised Page.....20

MINIMUM RATE TARIFF NO. 6

*SECTION NO. 4

Forms of Documents to Which
Reference is Made in
Items Nos. 150 and #250

Addition)
* Change) Decision No. 55964

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Correction No. 176

SECTION NO. 4 - FORMS OF DOCUMENTS

Item No. 330

FREIGHT BILL FOR VEHICLE UNIT RATES FOR
TRANSPORTATION OF AUTOMOTIVE GASOLINE

Name of Carrier _____ Bill No. _____
(Name of Carrier Must be
Same as Shown on Permit) Permit No. _____

Name of Shipper _____

Street Address _____ City _____

Date of Transportation _____

Unit of Equipment Used _____ Capacity _____
(Identify) (Gallons)

Amount Tendered (in gallons) _____

Amount Delivered Within 24-hour Period (in gallons) _____

Amount of Time Beyond 24-hour Period _____

(1) Time Started _____ (2) Time Completed _____

	<u>Rate</u>	<u>Charge</u>
Rate per Unit of Carrier's Equipment	_____	_____
No. of Additional Gallons Delivered _____	_____	_____
Amount of Time in Excess of 24 hours _____	_____	_____
Other Charges (3) _____	_____	_____
Total Charges		_____

- (1) Time equipment reaches first point of origin.
- (2) Time of completion of delivery at last point of destination.
- (3) Show each charge separately and what it represents.

Certification of Data:

Shipper _____ Carrier _____
By _____ By _____

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