

Decision No. 56385

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.,) Application No. 39788
Agent, to amend Common Carrier)
Tariff of Bulk Petroleum Carriers.)

OPINION AND ORDER

Western Motor Tariff Bureau, Inc., Agent, on behalf of carriers party to its Local Freight Tariff No. 3-D, Cal. P.U.C. No. 25, (Elmer Ahl, Agent, series), publishes rates for the transportation of petroleum and petroleum products in bulk in tank vehicles. These rates are stated on a cents-per-100-pounds basis on the same level as the minimum rates set forth in Minimum Rate Tariff No. 6. By this application, authority is sought to publish, on five days' notice, a new rule in the tariff which would allow the assessment of rates on a different basis (cents per gallon) than that in which the minimum rates are stated (cents per 100 pounds). The proposed rule is as follows:

ASSESSMENT OF CHARGES

- (a) At shipper's request carrier shall convert the rates in cents per one hundred pounds shown herein to rates in cents per gallon when assessing charges. Shipper's request for such procedure shall be made in writing to the carrier at the time of or prior to tender of shipment or shipments.
- (b) The conversion of rates from cents per one hundred pounds to cents per gallon shall be accomplished by use of the conversion table provided on pages _____ .

The table referred to will contain a rate per gallon for each rate in cents per 100 pounds found in the tariff.

The application states that some shippers of petroleum products request that the billing contain charges on a gallonage basis for accounting purposes whereas other shippers desire that their billing be stated on a cents-per-hundred-pounds basis. It points out that under the provisions of Item No. 160 of Minimum Rate Tariff No. 6, petroleum contract carriers have the privilege of assessing rates on a gallonage as well as on a weight basis. Applicant alleges that the sought alternative gallonage basis will result in technical increases and reductions, but that such increases or reductions will not result in a difference of charges in excess of four cents for a shipment of 8,000 gallons.

Authority is also sought under Section 460 of the Public Utilities Code to depart from the long-and-short-haul provisions in connection with rail competitive rates published in the tariff which have had specific long-and-short-haul authority previously granted by this Commission and which will be subject to conversion when the proposed rule is used by the carriers.

Interested parties have been notified of the filing of this application. No objection has been received to its being granted.

In the circumstances, it appears, and the Commission finds, that the increases and reductions resulting from applicant's proposal are justified. The application will be granted. A public hearing is not necessary.

Therefore, good cause appearing,


IT IS ORDERED that Western Motor Tariff Bureau, Inc., Agent, is hereby authorized, on not less than five days' notice to the Commission and the public, to publish in its Local Freight Tariff No. 3-D, Cal.P.U.C. No. 25 (Elmer Ahl, Agent, series), the


rule and conversion table proposed in this application and 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 establish the proposed rates.

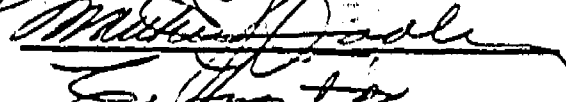
IT IS FURTHER ORDERED that the authority herein granted shall expire unless exercised within sixty days after the effective date of this order.


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

Dated at San Francisco, California, this 17th day of March, 1958.



President






Commissioners