

ORIGINAL

Decision No. 56952

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 car-)	Case No. 5436
riers relating to the transportation of)	
petroleum and petroleum products in bulk)	
(commodities for which rates are provided)	
in Minimum Rate Tariff No. 6).)	

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 6 names minimum rates, rules and regulations for the transportation of petroleum and petroleum products in bulk in tank truck equipment. Items Nos. 100 and 170 of the tariff contain accessorial charges in cents per 100 pounds for the services of "pumping" and "spreading".

For clarification, the items will be revised to provide specifically that the charges are to be computed on the basis of the weight of the commodity pumped or spread. This application of the charge is in conformity with Informal Ruling No. 11 of the Commission's Transportation Division issued December 1, 1951. No contrary interpretation has come to the Commission's attention.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That Minimum Rate Tariff No. 6 (Appendix "C" of Decision No. 32608, as amended) is hereby further amended by incorporating therein to become effective August 8, 1958, Ninth Revised Page 10 and Fifth Revised Page 11-A, which revised pages are attached hereto and by this reference made a part hereof.

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

In all other respects said Decision No. 32608, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 8th day of July, 1958.

E. Lynn Fox
President
W. E. Mitchell
Paul L. Linterman
Walter J. Foster
Theodore Jenner
Commissioners

Cancels

Item No.	SECTION NO. 1- RULES AND REGULATIONS (Continued)
*100-F Cancels 100-E	<p style="text-align: center;">PUMPING</p> <p>*Rates provided in this tariff do not include pumping service when rendered with carrier's equipment. When pumping service is performed by the carrier, a charge of one cent per 100 pounds will be made computed on the basis of the weight of the commodity pumped.</p> <p>(See Exception.)</p> <p>EXCEPTION.--When pumping is performed in connection with the transportation of petroleum crude oil under rates provided in Item No. 210, a charge of 1.2 cents per 100 pounds will be made when service is under Column "A" rates and .6 of one cent per 100 pounds when service is under Column "B" rates; when under rate in Item No. 230, a charge of one-half cent per 100 pounds will be made.</p>
110-B Cancels 110-A	<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation from the same point of origin to the same point of destination than results from the application of the rates herein provided. (See Notes 1 and 2.)</p> <p>NOTE 1.--When the common carrier rate used is subject to minimum weight different from the minimum weight determined in accordance with the provisions of Item No. 80, the lesser minimum weight may be observed.</p> <p>NOTE 2.--When the common carrier rate used is based upon a weight per gallon different from that provided in Item No. 70, such different weight shall be observed.</p>
120-C Cancels 120-B	<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH COMMON CARRIER RATES</p> <p>When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates for the same transportation as follows:</p> <p>(a) When point of origin is located beyond railhead or an established depot and point of destination is located at railhead or an established depot, add to the common carrier rate applying from any team track or established depot to point of destination the rate provided in this tariff for the distance from point of origin to the team track or depot from which the common carrier rate used applies. (See Notes 1, 2 and 3.)</p> <p>(b) When point of origin is located at railhead or an established depot and point of destination is located beyond railhead or an established depot, add to the common carrier rate applying from point of origin to any team track or established depot the rate provided in this tariff for the distance from the team track or depot to which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3.)</p> <p>(c) When both point of origin and point of destination are located beyond railhead or an established depot, add to the common carrier rate applying between any railheads or established depots the rate provided in this tariff for the distance from point of origin to the team track or depot from which the common carrier rate used applies, plus the rate provided in this tariff for the distance from the team track or depot to which the common carrier rate used applies to point of destination. (See Notes 1, 2 and 3.)</p>

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

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

NOTE 3.--When the common carrier rate used is based upon a weight per gallon different from that provided in Item No. 70, such different weight shall be observed in connection with such common carrier rate.

* Change, Decision No. 56952

EFFECTIVE AUGUST 8, 1958

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

Correction No. 162

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)
150- C Cancels 150-B	<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 shipment received for transportation. The shipping document shall show the following information:</p> <ul style="list-style-type: none"> (a) Date issued. (b) Name of carrier. (c) Name and address of consignor. (d) Name and address of consignee or consignees. (e) Point or points of origin. (f) Point or points of destination. (g) Point or points where diversion occurs, if any. (h) Description of the shipment. (i) Weight of the shipment (or other factor or measurement upon which charges are based.) (j) Description of the vehicle or vehicles used (whether tank truck, tank trailer, tank semi-trailer, or two connected tank vehicles.) (k) Kind and quantity of property returned, if any. (l) Rate and charge assessed. (m) Signature of carrier or his agent. (n) Such other information as may be necessary to an accurate determination of the applicable minimum rate and charge. <p>The form of shipping document in Item No. 340 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>
160	<p style="text-align: center;">QUOTATION OF RATES AND CHARGES</p> <p>(a) Except as provided in Paragraph (b) 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> <p>(b) Rates or accessorial charges may 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, provided (1) that the freight charges assessed are not less than those which would have been assessed had the rates and accessorial charges stated in this tariff been applied; and (2) that the carriers' shipping documents contain all the information necessary to compute the freight charges on the basis of the units of measurement provided in this tariff.</p>

SPREADING

(Applies only in connection with transportation of asphalt or road oil.)

*170-C
Cancels
170-B

The service of spreading asphalt or road oil shall be performed at the rate of 6½ cents per 100 pounds, computed on the basis of the weight of the asphalt or road oil spread. This rate includes only services of a driver or operator of carrier's equipment. Charges for extra labor shall be computed under the provisions of Item No. 180

ALLOWANCE FOR DELIVERY AFTER HOURS

When consignee elects to unload, at destination points, on Sundays and Legal Holidays or between the hours of 5:00 p.m. and 8:00 a.m. on other days, the following allowance may be made by carrier for this extra service, viz. (See Note 1):

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An allowance of \$1.50 per hour, not to exceed \$3.00, may be made by carrier for the time required to unload. No payment shall be made when the accrued allowance is less than \$1.00. Fractions of an hour shall be computed to the nearest 6 minutes.

All receipts for unloading must show the time when unloading was commenced and when unloading was completed, and the allowance due thereunder may be paid directly by the carrier to the consignee on each load so unloaded.

NOTE 1 - When unloading is commenced during hours when allowance is not accorded and is completed under the provisions of this item, the allowance may be made only on the portion of the time covered by this item.

* Change,

Decision No. 56852

EFFECTIVE AUGUST 8, 1958

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

Correction No. 182