

Decision No. 57153

**ORIGINAL**

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

SUPPLEMENTAL OPINION AND ORDER

Minimum Rate Tariff No. 6 provides minimum rates and rules for the transportation of petroleum and petroleum products in bulk in tank truck equipment between points in California. Item No. 110 thereof sets forth a provision for the alternative application of common carrier rates. For clarification, the item will be revised to specifically provide that a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight applicable in connection with the common carrier rate shall be used. This clarification is in conformity with Informal Ruling No. 20 of the Commission's Transportation Division, issued October 19, 1956.

In addition, the tariff will be revised to provide specifically that accessorial charges may not be offset by transportation charges. This clarification is in conformity with Informal Ruling No. 35, issued February 20, 1958.

Also it has been brought to the Commission's attention that Item No. 100-F contains a reference to Item No. 230. The latter has been canceled. The improper reference will be deleted.

Therefore, good cause appearing,

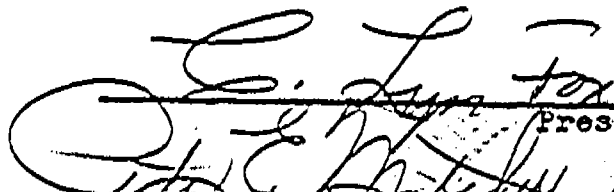
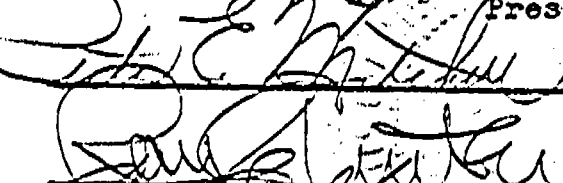
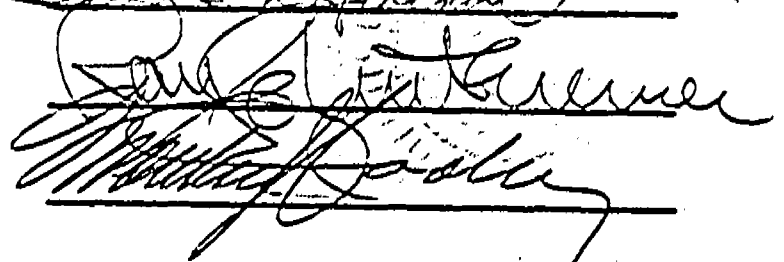
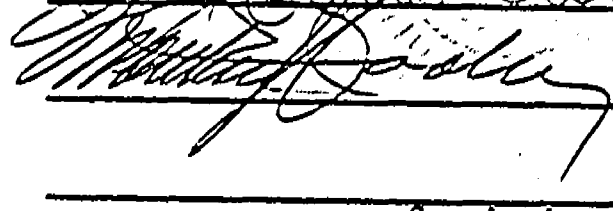
IT IS ORDERED that Minimum Rate Tariff No. 6 (Appendix "C" of Decision No. 32608, as amended) is hereby further amended by incorporating therein, to become effective September 19, 1958, Fifteenth Revised Page 2 and Tenth Revised Page 10, which revised pages are attached hereto and by this reference made a part hereof.

IT IS FURTHER ORDERED that tariff publications required 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 tariff publications shall be made effective not later than September 19, 1958.

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 12th day of August, 1958.

  
\_\_\_\_\_  
President  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners

| TABLE OF CONTENTS  | Page<br>Number<br>(Inclusive) |
|--|-------------------------------|
| Correction Number Checking Sheet -----                             | 1                             |
| Description of Crude Oil Groups -----                              | 15                            |
| Form of Shipping Document -----                                    | 20-A-21                       |
| Index of Group Points and Points from and to Which Rates Apply --- | 3                             |
| Rates-Section 2 -----  | 13 to 16-B                    |
| Rules and Regulations:   |                               |
| * Accessorial Charges Not To Be Offset By Transportation           | 125                           |
| Charges -----  | 11-A                          |
| Allowance for Delivery After Hours -----                           |                               |
| Alternative Application of Combinations With Common Carrier        |                               |
| Rates -----  | 10                            |
| Alternative Application of Common Carrier Rates -----              | 10                            |
| Application of Combinations of Rates Provided in this Tariff ---   | 9-A                           |
| Application of Tariff-Commodities -----                            | 7                             |
| Application of Tariff-General -----                                | 6                             |
| Application of Tariff-Territorial Groups -----                     | 8 to 8-W                      |
| Collect on Delivery Shipments -----                                | 9-A                           |
| Collection of Charges -----  | 11-C                          |
| Computation of Charges-Estimated Weights -----                     | 9                             |
| Computation of Distances -----                                     | 9                             |
| Connecting to Mobile Road Mixers -----                             | 11-B                          |
| Definition of Technical Terms -----                                | 6                             |
| Demurrage or Detention Charges -----                               | 11                            |
| Extra Labor -----  | 11-B                          |
| Issuance of Shipping Document -----                                | 11-A                          |
| Minimum Charge -----   | 9                             |
| Mixed Shipments -----  | 11-B                          |
| Pumping -----  | 10                            |
| References to Items and Other Tariffs -----                        | 9                             |
| Quotation of Rates and Charges -----                               | 11-A                          |
| Shipments Diverted, Returned or Stopped in Transit for Partial     |                               |
| Loading or Unloading -----   | 11                            |
| Split Delivery -----   | 9-B                           |
| Spreading -----  | 11-A                          |
| Technical Terms, Definition of -----                               | 6                             |

#Addition, Decision No.

57153

EFFECTIVE. SEPTEMBER 19, 1958

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

Correction No. 183

| Item No.                   | SECTION NO. 1 - RULES AND REGULATIONS (Continued)   |
|----------------------------|---|
| *100-G<br>Cancels<br>100-F | <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. (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 cents per 100 pounds when service is under Column "B" rates.</p>   |
| *110-C<br>Cancels<br>110-B | <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, 2 and 3)</p> <p>NOTE 1.--When the common carrier rate used is subject to a minimum weight different than the minimum weight determined in accordance with a 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 than that provided in Item No. 70, such different weight shall be observed.</p> <p>#NOTE 3.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p>   |
| *120-D<br>Cancels<br>120-C | <p style="text-align: center;">ALTERNATIVE APPLICATION OF COMBINATIONS WITH<br/>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, 3 and 4.)</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, 3 and 4.)</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, 3 and 4.)

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 a minimum weight different than 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 than that provided in Item No. 70, such different weight shall be observed in connection with such common carrier rate.

#NOTE 4.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.

ACCESSORIAL CHARGES NOT TO BE OFFSET BY  
TRANSPORTATION CHARGES

#125

Accessorial charges set forth in this tariff for accessorial services not included in the rate for actual transportation shall be assessed and collected when such services are performed, regardless of the level of the transportation rate assessed. Such accessorial charges may not be waived on the basis that a higher-than-minimum transportation rate serves as an offset.

~ Change )  
# Addition ) Decision No. 57153

EFFECTIVE SEPTEMBER 19, 1958

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 184