

ORIGINALDecision No. 60786

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 property by vacuum-
 type and pump-type tank vehicles
 (including transportation for which
 rates are provided in Minimum Rate
 Tariff No. 13).

Case No. 6008
 (Petition for Modification
 No. 2)

Arlo D. Poe, James Quintrall and J. C. Kaspar, for
California Trucking Associations, Inc., petitioner.
James E. Ogden, for Chancellor & Ogden, Inc., Roy D.
Owen, for Routh Transportation, L. W. Potter, for
L. W. Potter Trucking Company, and Aubrey M. Webb,
Jr., for Oilfield Vacuum Service, Inc.,
respondents.
R. J. Staunton and G. L. Malquist, for the Commission
staff.

O P I N I O N

Minimum Rate Tariff No. 13 names rates applicable to certain transportation services performed by for-hire highway carriers by means of vacuum tank vehicles or pump-type tank vehicles. By this petition, filed June 8, 1960, the California Trucking Associations, Inc., seeks increases in the hourly rates and charges named in that tariff.

Public hearing was held at Los Angeles on August 2, 1960, before Examiner William E. Turpen. Evidence was presented by petitioner's assistant director of research. Members of the Commission's staff assisted in the development of the record. No one appeared in opposition to the granting of the petition.

The rates and charges here in issue were last adjusted effective March 20, 1959, pursuant to Decision No. 57979, dated February 9, 1959, in this proceeding. Petitioner alleges that since that time the cost of transporting property in vacuum and pump-type vehicles has increased substantially. The increased costs, according to the petition, have resulted principally from increases in the wage rates paid employees. Petitioner proposes increases in the hourly rates ranging from 6.6 percent for vehicles of under 35-barrel capacity to 4.3 percent for vehicles of over 95-barrel capacity. It is also proposed to increase the hourly rate for accessorial charges by 11.5 percent.

Petitioner's assistant director of research presented in evidence and explained a study he had made of the cost of the transportation here involved. He explained he had used the basic data upon which the present rates are based, and revised the previous study to reflect the current cost data. From this he developed tables to show the percentage increases in costs since the last rate increase. These percentages were then applied to the present rates to arrive at petitioner's proposal in this proceeding. The witness also explained that, as indirect costs constitute a very large portion of the total costs, he had made a special study of the indirect costs and had found that they had increased proportionally to the labor increases.

The record is clear that the increases in operating costs experienced by the carriers require an increase in the minimum rates. Upon consideration of the evidence in this matter, the Commission is of the opinion and finds that the increases proposed by petitioner are justified and that hourly rates and charges as so increased are

and will be just, reasonable and nondiscriminatory minimum rates for the transportation to which they apply.

Decision No. 55584, dated September 24, 1957, in Application No. 38489 and Case No. 5432, established Minimum Rate Tariff No. 13, and directed certain common carriers listed in Appendix "C" to that decision to establish in their tariffs rates no lower in volume or effect than those set forth in the minimum rate tariff. The Order Instituting Investigation in this proceeding provides that a present or future carrier engaged in vacuum or pump tank service not covered by the Order Instituting Investigation shall, upon becoming a carrier so described, thereby become a respondent to this proceeding. Since the issuance of Decision No. 55584, the common carriers engaged in this service have changed. Therefore, the order which follows will direct the common carriers who currently maintain rates for this service to establish the increased rates.

O R D E R

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

IT IS ORDERED:

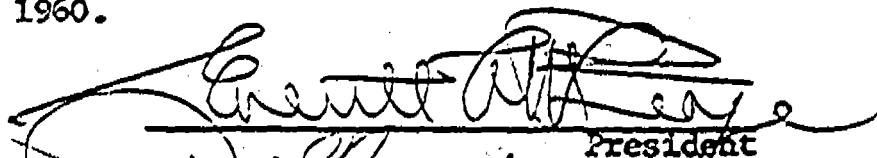
1. That Minimum Rate Tariff No. 13 (Appendix B of Decision No. 55584, as amended) be and it is hereby further amended by incorporating therein, to become effective November 4, 1960, Second Revised Page 7 and Second Revised Page 12, which revised pages are attached hereto and by this reference made a part hereof.
2. That those common carriers whose names are listed in Appendix A hereto, which appendix is made a part hereof by this reference, be and they are hereby directed to amend their respective

tariffs to establish and maintain rates, charges, rules and regulations no lower in volume or effect than those set forth in Minimum Rate Tariff No. 13, as amended; that said common carriers shall thereafter abstain from maintaining charges or accessorial charges lower in volume or effect than those set forth in, or accruing under the provisions of, Minimum Rate Tariff No. 13, as amended, and from observing rules resulting in charges lower in volume or effect than those set forth in said minimum rate tariff; that tariff publications required to be made by said common carriers as a result of the order herein may be made effective not earlier than the effective date hereof and upon 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 November 4, 1960.

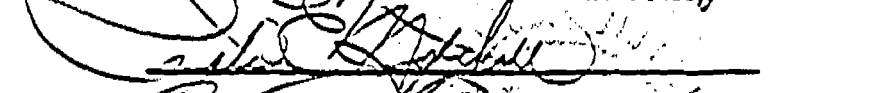
3. That in all other respects the aforesaid Decision No. 55534, as amended, shall remain in full force and effect.

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


Dated at San Francisco, California, this 27th day of September, 1960.



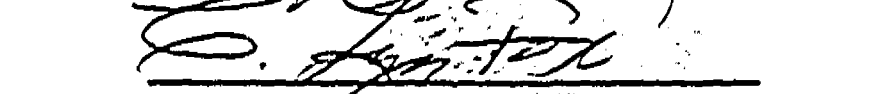
President



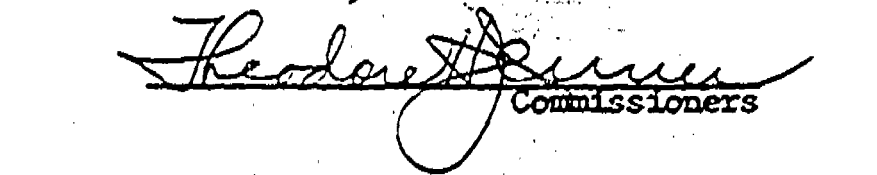
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Commissioners

B & O Service Company, Inc. (a corporation)
Mail Add: P. O. Box 557, Santa Maria
Bus. Add: 495 Betteravia Rd., Santa Maria

B & R Service Company, (Perry A. Redwine, dba)
Cuyama

Capitol Tank Lines, Inc., (a corporation)
2500 N. Alameda
Compton

Chancellor & Ogden, Inc., (a corporation)
3365 Cherry Avenue
Long Beach 7

Coast Tank Service Co., (a corporation)
1634 E. Denni Street
Wilmington

East, Gene W., Vacuum Trucks Service
(Gene W. East, dba)
1350 W. 228th Street
Torrance

Fix & Brain Vacuum Truck Service (a corporation)
Mail Add: P. O. Box 76, Wilmington
Bus. Add: 233 "D" Street, Wilmington

Floyd, R. L., Vacuum & Pump Truck Service
(R. L. Floyd, dba)
P. O. Box 1043
Wilmington

Gilliard, W. E., Vacuum Truck Service
(Walta E. Gilliard, dba)
Mail Add: P. O. Box 584, Torrance
Bus. Add: 918 Crenshaw Blvd., Torrance

Hanks, Eddie, Vacuum Truck Co.
(E. Hanks, dba)
23550 W. Lyons Avenue
Newhall

Harvey Vacuum Truck Service
(F. R. Harvey, dba)
918 McDonald Avenue
Wilmington

Holbrook & Son
(Leslie M. Holbrook & Raymond R. Holbrook, dba)
12637 Los Nietos Road
Santa Fe Springs

Hollow Rod of California (a corporation)
2176 No. Ventura Blvd.
Ventura

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

Jackson Supply Company, Inc., (a corporation)
P. O. Box 542
Taft

Johnston Vacuum Tank Service
(Ray L. Johnston, dba)
432 Naylor Avenue
Taft

Lacey Trucking Co. (a corporation)
27th & Lime Avenue
Long Beach 7

Lunsford Tank Lines
(B. L. Lunsford, dba)
P. O. Box 372
Mancopa

Kyle O. Mayes Co.
(Kyle O. Mayes & Jimmie C. Mayes, dba)
18703 So. Broadway
Gardena

McKay Truck Company
(Frank McKay, dba)
P. O. Box 516
Coalinga

V. B. Morgan Company (a corporation)
P. O. Box 547
Barstow

Morrison, R. H. (an individual)
2705 Dawson Avenue
Long Beach 5

Myers, Homer L., (an individual)
2244 W. 13th Street
Newhall

National Tank Lines (a corporation)
812 South Greenleaf Avenue
Whittier

Neely's Vacuum Truck Service
(Thomas Neely, dba)
P. O. Box 1026
Newhall

Oilfields Vacuum Service (a corporation)
Mail Add: P. O. Box 288, Bakersfield
Bus. Add: James Road, Oildale

Ott's Vacuum Truck Service
(O. E. Pittman & E. T. Pittman, dba)
514 E. Fir Street
Brea

Parker & Martin, Inc. (a corporation)
Mail Add: P. O. Box 487, La Habra
Bus. Add: 12282 Whittier Avenue, La Habra

L. W. Potter Trucking Company, Inc. (a corporation)
403 Real Road
Bakersfield

President Tank Lines, Inc. (a corporation)
12500 E. Rush Street
El Monte

Richards Trucking Co.
(Frank G. Silva, dba)
Mail Add: P. O. Box 1452, Orcutt
Bus. Add: 605 Pinal Street, Orcutt

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

Rudolph, Max, Company
(Geo. W. Forquer, Jos. V. Brink & Max Rudolph, dba)
P. O. Box 108
Santa Paula

Schager, L. A. (Mike) (an individual)
518 - 17th Street
Huntington Beach

Small, Bill T., Vacuum Truck Company
(Bill T. Small, dba)
1506 Lyons Avenue
Newhall

Smith, T. A., Trucking
(T. A. Smith, dba)
235 No. Garden Street
Ventura

Speeds Oil Tool Service
(L. L. Kirchob, dba)
P. O. Box 216
Santa Maria

Superior Vacuum Trucks of Long Beach (a corporation)
3051 San Francisco Avenue
Long Beach

Rich-Sand Service Co.
(Burnell H. Richards & Howard Sandage, dba)
P. O. Box 1803, Orcutt

Sweet, Forrest L. (an individual)
16731 Golden Avenue
Placentia

Tidwell, Marvin Trucking
(Marvin R. & Ramona L. Tidwell, dba)
2826 Channel Drive
Ventura

Union Truck Co., Inc.

Mail Add: P. O. Box 1131, Ventura

Bus. Add: 2431 No. Ventura Avenue, Ventura

Valley Vacuum Tank Truck Service, Inc. (a corporation)

Mail Add: P. O. Box 1558, Bakersfield

Bus. Add: 1202 Crawford Street, Bakersfield

Webster Tank Truck Service

(W. R. & W. O. Webster, dba)

12540 E. Los Nietos Road

Los Nietos

Wilco Vacuum Service

(Bob W. Clark, dba)

Mail Add: 500 Supply Road, Taft

Bus. Add: 301 Supply Road, Taft

Prescott, Dudley T.

93 Live Oak Drive

Ventura

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.																					
<p style="text-align: center;">ACCESSORIAL CHARGES</p> <p>When carrier furnishes help in addition to the driver, an additional charge of \$4.35 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>	<p style="text-align: center;">*60-B Carrels 60-A</p>																					
<p style="text-align: center;">MINIMUM CHARGE</p> <p>The minimum charge per shipment shall be that for two hours of service at the applicable rate.</p>	<p style="text-align: center;">70</p>																					
<p style="text-align: center;">COMPUTATION OF TIME</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 border="0" 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	<p style="text-align: center;">80</p>
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38	53	Shall be 3/4 hour																				
53	60	Shall be 1 hour																				
<p style="text-align: center;">UNITS OF MEASUREMENT IN QUOTATION OF RATES AND CHARGES</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>	<p style="text-align: center;">90</p>																					
<p style="text-align: center;">SHIPMENTS TO BE RATED SEPARATELY</p> <p>Each shipment shall be rated separately. Shipments shall not be consolidated nor combined by the carrier.</p>	<p style="text-align: center;">100</p>																					
<p style="text-align: center;">REFERENCES TO ITEMS AND OTHER TARIFFS</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>	<p style="text-align: center;">110</p>																					
<p>* Change o Increase } Decision No. 60756</p>																						
<p>EFFECTIVE NOVEMBER 1, 1960</p>																						
<p style="text-align: center;">Issued by the Public Utilities Commission of the State of California, San Francisco, California. Correction No. 5</p>																						

SECTION NO. 2 - HOURLY RATES				Item No.
♦ Rates In Dollars <u>per Hour (See Note)</u>				
Capacity of Equipment (in barrels)		Territory "A"(1)	Territory "B"(2)	
<u>More Than</u>	<u>But Not More Than</u>			
0	35	\$ 9.65	\$10.15	
35	45	10.10	10.60	
45	60	11.15	11.60	
60	80	12.10	12.65	
80	95	12.90	13.40	
95	-	13.95	14.40	
(1) Territory "A" consists of the counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego and Imperial.				*200-B Cancels 200-A
(2) Territory "B" consists of all counties in California other than those included in Territory "A".				
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.				
* Change ♦ Increase)	Decision No.	60786	
EFFECTIVE NOVEMBER 4, 1960				
Issued by the Public Utilities Commission of the State of California, San Francisco, California.				
Correction No. 6				