

ORIGINAL

Decision No. 62505

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)	Case No. 5436
of petroleum and petroleum products in)	(Petition for Modification
bulk (commodities for which rates are)	No. 45, as amended)
provided in Minimum Rate Tariff No. 6).)	

SUPPLEMENTAL OPINION AND ORDER

Decision No. 62425, dated August 15, 1961 in this proceeding, was issued pursuant to Petition No. 45, filed July 7, 1961, as amended July 28, 1961, by California Trucking Associations, Inc. The petition, as amended, sought modification of certain of the rates and rules for the transportation of petroleum and petroleum products in bulk in highway tank vehicles which are contained in Minimum Rate Tariff No. 6. The decision granted the petition to the extent of extending the expiration date of certain rates and permitting their application to an additional commodity; but in other respects the decision stated that the petition will be set for a public hearing for the receipt of evidence, including cost data.

By Petition for Reconsideration, filed August 21, 1961, California Trucking Associations, Inc., now seeks reconsideration of Decision No. 62425, supra, with respect to the following requested new rates:

1. Establishment of an interplant rate of 5 cents per 100 pounds for the transportation of base stock asphalt, in bulk, in tank truck equipment from El Segundo to Inglewood.

2. Establishment of an interplant rate of 4-3/4 cents per 100 pounds for the transportation of feed stock carbon black oil, in bulk, in tank truck equipment from Mopeco to Rogas.

The petitioner states that it will willingly present evidence at future public hearings on these matters, but urges that immediate interim relief be granted, subject to an expiration date of March 25, 1962, and subject to the qualification that the items may be adjusted as required by later review and consideration of additional evidence to be adduced at public hearing.

According to the petition, substantial injustice will result if immediate relief is not available to the shippers and carriers directly involved in these specific movements. With respect to the proposed rate on carbon black oil from Mopeco to Rogas, petitioner alleges that a new plant at Rogas is dependent upon tank truck service for its raw material supply; that current rates were not determined by consideration of any cost or economic factors involving this new facility; and that because of its peculiar location in relation to group boundaries, such rates would be based upon an unreasonable and arbitrary premise. It is further alleged that production at this facility is being delayed awaiting approval of the sought rate and that use of the existing tariff provisions pending further hearings and reconsideration in this matter would result in unreasonable freight charges or a diversion of the traffic to proprietary facilities.

Upon consideration of the allegations contained in the Petition for Reconsideration, the requested rates will be established for an interim period, during which petitioner will be given an opportunity to introduce evidence at a public hearing, upon the basis of which evidence the Commission may determine whether or not the rates in question will be just, reasonable and nondiscriminatory minimum rates for the future.

Subject to later review as stated, it appears, and the Commission finds, that the amendments to Minimum Rate Tariff No. 6 resulting from the order herein result in just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved. Due to the indicated urgency of the situation, the following order will be made effective on the date hereof and common carriers will be authorized to make publication on one day's notice.

Good cause appearing,

IT IS ORDERED that:

(1) Minimum Rate Tariff No. 6 (Appendix "C" of Decision No. 32608, as amended) is hereby further amended by incorporating therein, to become effective September 1, 1961,

Fourteenth Revised Page 9
Original Page 14-A

which revised pages are attached hereto and by this reference made a part hereof.

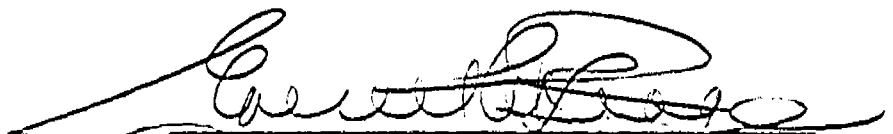
(2) Tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, and may be made effective on not less than one day's notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.


(3) Common carriers, in establishing the rates herein-
above authorized, be and they are hereby 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; such outstanding
authorizations are hereby modified only to the extent necessary to
comply with this order; schedules containing the charges published
under this authority shall make reference to prior orders authoriz-
ing long-and-short-haul departures and to this order.

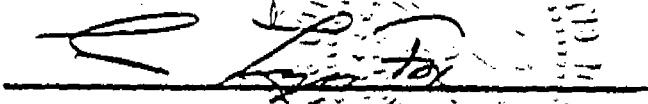
(4) In all other respects, said Decision No. 32608, as
amended, shall remain in full force and effect.

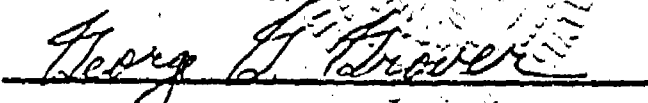
This order shall become effective on the date hereof.

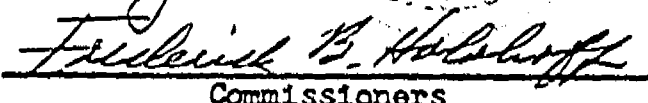
Dated at San Francisco, California, this 29th day
of August, 1961.



President








Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)																							
55	<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>																							
60	<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route, computed in accordance with the method provided in the Distance Table, subject to the following exception:</p> <p>EXCEPTION-Distances from, to, or between Groups 1 and 2 shall not be computed via the San Francisco-Oakland Bay Bridge nor via the Richmond-San Rafael Bridge when the petroleum products transported have a flash point of 80° F. or below (as determined by flash point from Tagliabue's open-cup tester, as used for test of burning oils).</p>																							
*70	<p style="text-align: center;">COMPUTATION OF CHARGES - ESTIMATED WEIGHTS</p> <p>(a) The weight of commodities described under heading "Refined Petroleum Products" in Item No. 30 shall be computed upon the basis of 6.6 pounds per gallon.</p> <p>(b) The weight of commodities described under headings "Black Oils" and "Crude Oil" in Item No. 30, and "Crude Residuum" #and "Carbon Black Oil" where such description is used in this tariff, shall be computed upon the basis of 7.75 pounds per gallon.</p> <p>(c) The weight of Liquefied Petroleum Gas shall be computed upon the basis of 4.4 pounds per gallon.</p> <p>(d) The weight of asphalt and road oil shall be the actual weight.</p>																							
80	<p style="text-align: center;">MINIMUM CHARGE</p> <p>The minimum charge per shipment shall be the charge at the applicable rate for the minimum quantities of property designated in connection with the unit or units of carrier's equipment containing the shipment, as specified below. (See Note 1.)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2"></th> <th colspan="3" style="text-align: center; border-bottom: 1px solid black;">MINIMUM QUANTITIES</th> </tr> <tr> <th style="text-align: center; border-bottom: 1px solid black;">Tank Truck or Tank Trailer</th> <th style="text-align: center; border-bottom: 1px solid black;">Tank Semi- Trailer</th> <th style="text-align: center; border-bottom: 1px solid black;">Two Con- nected Tank Vehicles</th> </tr> </thead> <tbody> <tr> <td>Gasoline</td> <td style="text-align: center;">3000 gallons</td> <td style="text-align: center;">5000(1) gallons</td> <td style="text-align: center;">6000 gallons</td> </tr> <tr> <td>Refined Petroleum Products (other than gasoline) Black Oils, and Crude Oil</td> <td style="text-align: center;">3000 gallons</td> <td style="text-align: center;">4000(1) gallons</td> <td style="text-align: center;">5000 gallons</td> </tr> <tr> <td>Liquefied Petroleum Gas</td> <td style="text-align: center;">3000 gallons</td> <td style="text-align: center;">4500 gallons</td> <td style="text-align: center;">6200 gallons</td> </tr> <tr> <td>Asphalt and Road Oil</td> <td style="text-align: center;">23250 pounds</td> <td style="text-align: center;">43000 pounds</td> <td style="text-align: center;">43000 pounds</td> </tr> </tbody> </table>		MINIMUM QUANTITIES			Tank Truck or Tank Trailer	Tank Semi- Trailer	Two Con- nected Tank Vehicles	Gasoline	3000 gallons	5000(1) gallons	6000 gallons	Refined Petroleum Products (other than gasoline) Black Oils, and Crude Oil	3000 gallons	4000(1) gallons	5000 gallons	Liquefied Petroleum Gas	3000 gallons	4500 gallons	6200 gallons	Asphalt and Road Oil	23250 pounds	43000 pounds	43000 pounds
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(1) Tank semitrailers having a capacity of less than 4000 gallons shall be subject to a minimum of 3000 gallons.

NOTE 1 - See Item No. 30 for description of commodities.

* Change }
Addition } Decision No. 62505

EFFECTIVE SEPTEMBER 1, 1961

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 224

Item No.	SECTION NO. 2	RATES (Continued) In Cents Per 100 Pounds								
#6(E) 212	ASPHALT, base stock, to be used only for mixing, blending or processing. (See Note)									
	FROM	TO								
	El Segundo	Inglewood								
		RATE								
		5								
	<p>NOTE: Rate in this item applies only:</p> <ol style="list-style-type: none"> 1. When both origin and destination are at established plant facilities, and 2. When shipper's facilities permit loading, and receiver's facilities permit delivery, 24 hours per day, seven days per week; subject to advance notification of carrier's intent to unload shipments tendered between 4:00 P.M., Fridays, and 11:00 P.M., Sundays. 									
#6(E) 213	CARBON BLACK OIL, feed stock to be used solely to manufacture carbon black. (See Note)									
	FROM	TO								
	Mopeco	Rogas								
		RATE								
		4 $\frac{3}{4}$								
	<p>NOTE: Rate in this item applies only:</p> <ol style="list-style-type: none"> 1. When both origin and destination are at established plant facilities, and 2. When shipper's facilities permit loading, and receiver's facilities permit delivery, 24 hours per day, seven days per week. 									
(E) Expires with March 25, 1962.										
<table style="width: 100%; border: none;"> <tr> <td style="width: 20%;"># Addition</td> <td style="width: 5%;">)</td> <td style="width: 20%;">Decision No.</td> <td style="width: 55%; text-align: center;">62505</td> </tr> <tr> <td>o Reduction</td> <td>)</td> <td></td> <td></td> </tr> </table>			# Addition)	Decision No.	62505	o Reduction)		
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Correction No. 225										