

ORIGINAL

Decision No. 64076

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)
 bulk (commodities for which rates are)
 provided in Minimum Rate Tariff No. 6).)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 64071, entered today in Case No. 5432, et al., the Commission found that the tariff definition of "common carrier rate" in Minimum Rate Tariff No. 2 and eleven other minimum rate tariffs should be amended to embrace certain interstate or foreign rates of common carrier railroads.

The aforesaid decision also found that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 6 should be amended by separate order.

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 15, 1962, Fourteenth Revised Page 6 and Fourth Revised Page 7 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 made effective not earlier than the tenth day after the effective date of this

order, and may be made effective on not less than ten days' 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.

In all other respects the aforesaid 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 7th day of August, 1962.

George G. Grover
President

W. N. Decker

E. J. Fox

Wesley B. Page

Fredrick B. Holloff
Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS
	<p data-bbox="567 419 1112 453">DEFINITION OF TECHNICAL TERMS</p> <p data-bbox="329 484 1431 587">(a) CARRIER means a petroleum contract carrier, or city carrier, as defined in the Highway Carriers' Act and in the City Carriers' Act.</p> <p data-bbox="329 613 1470 716">(b) CARRIER'S EQUIPMENT means any tank motor truck, tank trailer or tank semitrailer, or any combination of such highway vehicles operated by the carrier.</p> <p data-bbox="329 741 1491 1138">(c) COMMON CARRIER RATE means any intrastate rate or rates of any common carrier, or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment; any interstate rate of any common carrier railroad or railroads applying between points in California via an interstate or foreign route, lawfully in effect at time of shipment; *also, any interstate or foreign rate of any common carrier railroad or railroads applying between points in California in effect at time of shipment and covering transportation exempt from rate regulation of the Interstate Commerce Commission under Section 203(b)(8) of Part II of the Interstate Commerce Act.</p> <p data-bbox="389 1164 1263 1197">(d) DISTANCE TABLE means Distance Table No. 4.</p> <p data-bbox="329 1223 1436 1326">(e) ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p data-bbox="329 1352 1475 1524">(f) INDEPENDENT-CONTRACTOR SUBHAULER means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.</p> <p data-bbox="243 1584 302 1635">10</p> <p data-bbox="329 1550 1475 1687">(g) LOADING TIME means that time which commences when carrier's equipment is placed in position to load and which terminates when carrier's equipment is released for departure from point of origin.</p> <p data-bbox="329 1713 1515 2081">(h) MOBILE ROAD MIXER means contractor's or road making equipment that is equipped and being used in mobile service for the picking up of raw materials along a road or a proposed road, mixing them with petroleum products as described herein and dumped behind said moving road mixer. The equipment of carrier is attached to the mobile unit and proceeds with said unit in its road mixing service. The moving road mixer may either pump over the load or the carrier's equipment may pump over the load as the case may be. When carrier's equipment pumps the load, pumping charges as provided in Item 100 apply in addition to the rates as otherwise provided herein.</p> <p data-bbox="329 2107 1461 2364">(i) POINT OF DESTINATION means the precise location at which property is tendered for physical delivery into the custody of the consignee or his agent. All points within a single industrial plant or receiving area of one consignee shall be considered as one point of destination. An industrial plant or receiving area of one consignee shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.</p>

(j) POINT OF ORIGIN means the precise location at which property is physically delivered by the consignor or his agent into the custody of the carrier for transportation. All points within a single industrial plant or shipping area of one consignor shall be considered as one point of origin. An industrial plant or shipping area of one consignor shall include only contiguous property which shall not be deemed separate if intersected only by public street or thoroughfare.

(k) RAILHEAD means a point at which facilities are maintained for the loading of property into or upon, or the unloading of property from, rail cars or vessels. It also includes truck loading facilities of plants or industries located at such rail or vessel loading or unloading point.

(l) RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.

(m) SAME TRANSPORTATION means transportation of the same kind and quantity of property and subject to the same limitations, conditions and privileges; although not necessarily in an identical type of equipment.

(n) SHIPMENT means a quantity of freight tendered by one shipper on one shipping document at one point of origin at one time for one consignee at one point of destination. (See Items Nos. 87 and 130 for exceptions.)

(o) SPLIT DELIVERY SHIPMENT means a shipment consisting of two or more component parts delivered to (a) one consignee at more than one point of destination, or (b) more than one consignee at one or more points of destination, said shipment being shipped by one consignor at one point of origin and charges thereon being paid by the consignor when there is more than one consignee.

(p) TEAM TRACK means a point at which property may be loaded into, or upon, or unloaded from rail cars by the public generally. It also includes wharves, docks and landings at which the public generally may receive and tender shipments of property from and to common carriers by vessel.

(q) UNLOADING TIME means that time which commences when carrier's equipment is placed in position to unload and/or spread and which terminates when carrier's equipment is released for departure from point of destination. It also includes time spent in weighing, sampling and/or the processing of samples even though such time may be spent prior to the placement of the equipment in position to unload or spread.

△(1) Item No. 20, formerly shown on this page, transferred to Fourth Revised Page 7.

∅	Change) Decision No. 64075
△	Change, neither increase nor reduction	
*	Addition	

EFFECTIVE SEPTEMBER 15, 1962

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 245

Item No.	SECTION NO. 1 - RULES AND REGULATIONS (Continued)			
<p>Δ(1)20</p>	<p style="text-align: center;">APPLICATION OF TARIFF - GENERAL</p> <p>Rates provided in this tariff apply for the transportation of shipments of petroleum and petroleum products as described in Item No. 30, in bulk in tank trucks, tank trailers or tank semitrailers, or a combination of such highway vehicles, between points in the State of California by petroleum contract carriers as defined in the Highway Carriers' Act, and by carriers as defined in the City Carriers' Act. Rates include connecting and disconnecting piping and other services incidental to loading and unloading except those services for which rates or charges are provided in individual items.</p> <p>For rates for the transportation of petroleum and petroleum products, other than as provided in this tariff, see Minimum Rate Tariff No. 2.</p> <p>Rates, rules and regulations named in this tariff shall not apply to transportation by independent-contractor subhaulers when such transportation is performed for other carriers. This exception shall not be construed to exempt from the tariff provisions carriers for whom the independent contractors are performing transportation service.</p> <p>Rates in this tariff do not apply to the transportation of property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services.</p>			
<p>30</p>	<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply on Petroleum and Petroleum Products, including compounded Oils or Greases having a Petroleum Base, as described below (See Note 1):</p> <p>(a) REFINED PETROLEUM PRODUCTS, viz.:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 33%;"> Absorption Oil, Belt Oil, Benzine, Blended Gasolines (See Note 3), Compression Oil, Cordage Oil, Floor Oil, Gasoline, Casinghead, Gasoline, Natural, Gasoline, not otherwise specified, Grease, Axle, Grease, Lubricating, Grease, not other- wise specified, </td> <td style="vertical-align: top; width: 33%;"> Harness Oil, Leather Oil, Lubricating Oil, Miners' Oil, Miners' Oil Stock, Naphtha, Naphtha Distillate, Neatsfoot Oil, Oil, not otherwise specified (See Note 2), Paraffine Wax, Pentane, Petrolatum or Petro- latum Preparations, including Cosmoline, Densoline, Litholine, </td> <td style="vertical-align: top; width: 33%;"> Petroleum Jelly, Petrolina or Vase- line (See Note 2), Petroleum Fatty Acid or Naphthenic Acid, Putty Oil, Refined Oil, illumi- nating or burning, Soap Oil, Tanners' Oil, Tobacco Oil, Transformer Oil, Wax, not otherwise specified, Wax Tailings, Wool Oil. </td> </tr> </table> <p>(b) BLACK OILS, viz.:</p> <p style="padding-left: 40px;">Fuel Oil, residual and/or distillate, not suitable for illuminating purposes (See Note 4), Gas Oil.</p>	Absorption Oil, Belt Oil, Benzine, Blended Gasolines (See Note 3), Compression Oil, Cordage Oil, Floor Oil, Gasoline, Casinghead, Gasoline, Natural, Gasoline, not otherwise specified, Grease, Axle, Grease, Lubricating, Grease, not other- wise specified,	Harness Oil, Leather Oil, Lubricating Oil, Miners' Oil, Miners' Oil Stock, Naphtha, Naphtha Distillate, Neatsfoot Oil, Oil, not otherwise specified (See Note 2), Paraffine Wax, Pentane, Petrolatum or Petro- latum Preparations, including Cosmoline, Densoline, Litholine,	Petroleum Jelly, Petrolina or Vase- line (See Note 2), Petroleum Fatty Acid or Naphthenic Acid, Putty Oil, Refined Oil, illumi- nating or burning, Soap Oil, Tanners' Oil, Tobacco Oil, Transformer Oil, Wax, not otherwise specified, Wax Tailings, Wool Oil.
Absorption Oil, Belt Oil, Benzine, Blended Gasolines (See Note 3), Compression Oil, Cordage Oil, Floor Oil, Gasoline, Casinghead, Gasoline, Natural, Gasoline, not otherwise specified, Grease, Axle, Grease, Lubricating, Grease, not other- wise specified,	Harness Oil, Leather Oil, Lubricating Oil, Miners' Oil, Miners' Oil Stock, Naphtha, Naphtha Distillate, Neatsfoot Oil, Oil, not otherwise specified (See Note 2), Paraffine Wax, Pentane, Petrolatum or Petro- latum Preparations, including Cosmoline, Densoline, Litholine,	Petroleum Jelly, Petrolina or Vase- line (See Note 2), Petroleum Fatty Acid or Naphthenic Acid, Putty Oil, Refined Oil, illumi- nating or burning, Soap Oil, Tanners' Oil, Tobacco Oil, Transformer Oil, Wax, not otherwise specified, Wax Tailings, Wool Oil.		

(c) CRUDE OIL, in its natural state, or crude oil which has been subjected only to natural weathering, settling or treatment for the removal of water and bottom sediment and not blended with other products.

(d) LIQUEFIED PETROLEUM GAS.

(e) ASPHALT AND ROAD OIL, viz.:

Asphalt, natural, by-product, or petroleum,
Asphalt Emulsion,
Road Oils.

NOTE 1.-The term "having a Petroleum Base" as used in this item, means the principal ingredient of such compounded oils or greases must be Petroleum.

NOTE 2.-Rates in this tariff will not apply on Petroleum Oil, not otherwise specified, Petrolatum or Petrolatum Preparations, prepared and represented as a remedy, medicine or lubricant for the human body.

NOTE 3.-The term "Blended Gasolines" as used in this item covers motor fuel containing 50 per cent or more of gasoline.

NOTE 4.-The term "Fuel Oil" as used in this item does not include petroleum products having a flash point below 110 degrees Fahrenheit (Tagliabue closed cup) or which have 95 per cent distillation points below 464 degrees Fahrenheit.

(1) Item No. 20 formerly appeared on Thirteenth Revised Page 6.

Δ Change, neither increase) Decision No. **64076**
nor reduction)

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