

Decision No. 65487

**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

By Decision No. 65482, 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 twelve other minimum rate tariffs should be amended to embrace certain interstate or foreign rates of highway common carriers.

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 July 20, 1963, Fifteenth Revised Page 6 attached hereto and by this reference made a part hereof.

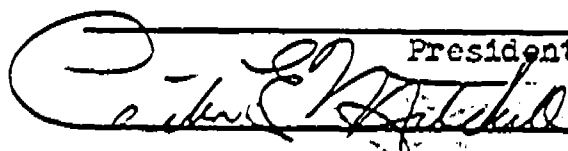
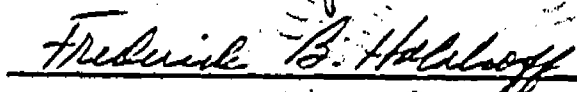

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this

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 page incorporated in this order.

3. 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 28th day of May, 1963.


President  

Acting President  


Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

Item No.	SECTION NO. 1 - RULES AND REGULATIONS
	<p data-bbox="538 442 1093 481" style="text-align: center;">DEFINITION OF TECHNICAL TERMS</p> <p data-bbox="290 507 1426 611">(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="290 637 1460 742">(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="290 755 1503 1184">/ (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 or foreign rate or rates of any common carrier railroad or railroads applying between points in California by an interstate or foreign route, lawfully in effect at time of shipment; also any interstate or foreign rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, applying between points in California and 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="358 1197 1255 1236">(d) DISTANCE TABLE means Distance Table No. 4.</p> <p data-bbox="298 1262 1434 1367">(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="298 1393 1477 1562">(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="213 1588 1477 1731">/10 (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="298 1757 1511 2122">(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="307 2148 1460 2421">(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.

Change, Decision No. 65487

EFFECTIVE JULY 20, 1963

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 256