

Decision No. 74997

**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-A) )

Case No. 5436

SUPPLEMENTAL OPINION AND ORDER

By Decision No. ~~74993~~, issued today in Case No. 5432, et al , the Commission found that various minimum rate tariffs should be clarified with respect to their application to the transportation of property which is exempt from regulation of the Interstate Commerce Commission under Section 203(b) (8) of the Interstate Commerce Act. The decision also provided that Minimum Rate Tariff No. 6-A should be amended by separate order to avoid duplication of tariff distribution.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 6-A (Appendix A of Decision No. 67154, as amended) is hereby further amended by incorporating therein, to become effective January 4, 1969, Fifth 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 page incorporated in this order. Tariff publications authorized herein shall be filed not earlier than the effective date of this order.

3. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby authorized to depart from the provisions of 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; and schedules containing the amendments published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

4. In all other respects Decision No. 67154, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 26<sup>th</sup> day of November, 1968.

William J. Quors, Jr.  
President  
John E. Kitchell  
Stella M. Bernard

Commissioners

Commissioner A. W. Gato, being necessarily absent did not participate in the disposition of this proceeding.

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Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION NO. 1 - RULES AND REGULATIONS (Continued)	Item No.
<p data-bbox="492 388 1240 458">DEFINITION OF TECHNICAL TERMS (Concluded) (Items Nos. 10 and 11)</p> <p data-bbox="232 486 1298 664">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.</p> <p data-bbox="232 698 1281 801">RATE includes charge and, also, the ratings, minimum weight, rules and regulations governing, and the accessorial charges applying in connection therewith.</p> <p data-bbox="232 826 1265 955">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.</p> <p data-bbox="232 986 1298 1115">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. 220 and 225 for exceptions.)</p> <p data-bbox="232 1141 1265 1334">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.</p> <p data-bbox="232 1360 1306 1617">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.</p>	11
<p data-bbox="546 1664 1120 1695">APPLICATION OF TARIFF - GENERAL</p> <p data-bbox="232 1715 1306 2029">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. 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>	20

For rates for the transportation of petroleum and petroleum products, other than as provided in this tariff, see Minimum Rate Tariff No. 2.

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.

Rates in this tariff do not apply to the transportation of:

(a) Property of the United States or property transported under an agreement whereby the United States contracted for the carrier's services.

\*(b) Property which is exempt from regulation by the Interstate Commerce Commission under Section 203(b)(6) of the Interstate Commerce Act.

(c) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.

ø Change       )  
\* Addition    )     Decision No.

74997

EFFECTIVE JANUARY 4, 1969

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 116