

Decision No. 75163

**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 )	Case No. 5436
of all common carriers, highway )	(Petition for Modification
carriers and city carriers )	No. 90)
relating to the transportation of )	(Filed October 29, 1968)
petroleum and petroleum products )	
in bulk (commodities for which )	
rates are provided in Minimum )	
Rate Tariff No. 6-A). )	

OPINION AND ORDER

Minimum Rate Tariff No. 6-A names minimum rates and rules for the transportation of petroleum and petroleum products in bulk in tank vehicles by petroleum contract carriers between points in the State of California. By this petition, California Trucking Association seeks (1) to have the Group 2 (Pinole) territorial description in the tariff amended to include therein the new facilities of the Humble Oil & Refining Company at Benicia and (2) to establish an additional charge of \$4.00 per unit of carrier's equipment utilized in connection with service to these facilities under certain conditions.<sup>1</sup> Petitioner asks that common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission's order in this proceeding, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

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<sup>1</sup>Group 2 covers an area which embraces the East Bay refineries. The additional charge would apply to shipments moving between the facilities of Humble Oil & Refining Company at Benicia and other points in California in and south of Marin, Contra Costa, San Joaquin, Calaveras and Alpine Counties.

Petitioner alleges that the proposed tariff revision is required by the planned completion, in early 1969, of a new 70,000-barrel-per-day refinery of the Humble Oil & Refining Company at Benicia and that such refinery will compete with other refineries presently included within the boundaries of Group 2. Petitioner asserts that the sought additional charge is appropriate for the added costs of serving the new facilities as bridge tolls will be frequently involved.

Petitioner states that the proposed change in the group description has been discussed by shippers and carriers and has been the subject of public hearing. Petitioner is informed and believes that the changes are technical and that, although both increases and decreases in freight charges might result, the resultant effect upon total revenues will be minor. Petitioner avers that the proposed tariff revision will benefit both shippers and carriers.

Copies of the verified petition were mailed to various petroleum shippers and carrier representatives on or about October 28, 1968. The petition was listed on the Commission's Daily Calendar of October 30, 1968. No objection to the granting of the petition has been received.

In the circumstances, it appears, and the Commission finds, that petitioner's proposal is reasonable, that the resulting minimum rates and charges will be just, reasonable and non-discriminatory minimum rates and charges for the transportation involved and that, to the extent that increases are involved, such increases are justified. A public hearing is not necessary. The Commission concludes that the petition should be granted.

IT IS ORDERED that:

1. Minimum Rate Tariff No. 6-A (Appendix A of Decision No. 67154, as amended) is further amended by incorporating therein, to become effective February 11, 1969, Sixth Revised Page 24 attached hereto and by this reference made a part hereof.

2. Tariff publications required to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the tenth day after the effective date of this order on not less than ten days' notice to the Commission and to the public and such tariff publications shall be made effective not later than February 11, 1969; and tariff publications which are authorized but not required 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. Common carriers, in establishing and maintaining the amendment 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 amendment 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 27<sup>th</sup> day of December, 1968.

William J. Lyons, Jr.  
President

William W. Bennett

A. P. Morosini  
Commissioners

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

SECTION NO. 2--DESCRIPTIONS OF TERRITORIAL GROUPS AND CRUDE OIL GROUPS	Item No.
<p style="text-align: center;">GROUP NO. 2--MILEAGE BASING POINT--PINOLE</p> <p>Beginning at the point where the Contra Costa-Alameda County boundary line meets San Francisco Bay, easterly along said boundary line to Eastshore Freeway (U.S. Highway 40-Interstate Highway 80), northerly and easterly on Eastshore Freeway and U.S. Highway 40-Interstate Highway 80 to State Highway No. 4, easterly on State Highway No. 4 to Solano Way, northwesterly on Solano Way and its prolongation to Suisun Bay, westerly, northerly, southerly and easterly along the shore lines of Suisun Bay, Carquinez Strait, San Pablo Bay and San Francisco Bay to point of beginning; *and the facilities of Humble Oil &amp; Refining Co. located at Benicia (see Note 1).</p> <p>NOTE 1.-Shipments moving between the facilities of Humble Oil &amp; Refining Co. at Benicia on the one hand, and, on the other, points in California in and south of Marin, Contra Costa, San Joaquin, Calaveras, and Alpine Counties, shall be subject to an additional charge of \$4.00 per unit of carrier's equipment utilized in transporting the shipment.</p>	
<p style="text-align: center;">GROUP NO. 4--MILEAGE BASING POINT--BAKERSFIELD</p> <p>Beginning at the intersection of Brimhall Road and Calloway Road, northerly on Calloway Road to the prolongation of Olive Drive, easterly along the prolongation of Olive Drive and Olive Drive to Airport Drive, northerly on Airport Drive to Norris Road, easterly on Norris Road to Manor Street, northerly on Manor Street to China Grade Loop, easterly on China Grade Loop to the northerly prolongation of River Boulevard (southwest corner of Section 4, T.29S., R.28E.), northerly along the prolongation of River Boulevard to the easterly prolongation of Seventh Standard Road (northwest corner of Section 4, T.29S., R.28E.), easterly along the prolongation of Seventh Standard Road to the northerly prolongation of Mount Vernon Avenue (northeast corner of Section 4, T.29S., R.28E.), southerly along the prolongation of Mount Vernon Avenue and China Grade Loop to the Kern River, southwesterly along the Kern River to its intersection with the prolongation of Oak Street, southerly along the prolongation of Oak Street and Oak Street to the right-of-way of The Atchison, Topeka and Santa Fe Railway Company, westerly along The Atchison, Topeka and Santa Fe Railway Company right-of-way to the Kern River, southwestwesterly along the Kern River to its intersection with the prolongation of California Avenue-Brimhall Road (south boundary line of Section 27, T.29S., R.27E.), westerly along the prolongation of Brimhall Road and Brimhall Road to the point of beginning.</p>	<p>ø300</p>

GROUP NO. 6--MILEAGE BASING POINT (MZ-247)

Group No. 6 consists of that area included within the following Metropolitan Zones as described in Section No. 2-A of the Distance Table: 232, 240, 241, 242, 243, 247, 248, 249, 250, 251, 252; and the plants of the Chevron Asphalt Company, located at 8707 Aviation Boulevard, Inglewood (MZ 233); the Powerine Oil Company, located at 12354 Lakeland Road, Santa Fe Springs (MZ 237); and the Gulf Oil Corporation, located at 13539 East Foster Road, Santa Fe Springs (MZ 244).

∅ Change )  
\* Addition ) Decision No. **75163**

EFFECTIVE FEBRUARY 11, 1969

Issued by the Public Utilities Commission of the State of California,  
San Francisco, California.  
Correction No. 117