

ORIGINAL

Decision No. 77495

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
Order Setting Hearing No. 93
(Filed November 12, 1969)

OPINION AND ORDER

Decision No. 77493, entered today in Case No. 5432 (Order Setting Hearing No. 564) et al., established revised tariff provisions governing split pickup and split delivery shipments, including the alternative use of common carrier rates, in Minimum Rate Tariff No. 2 and found that comparable amendments should also be made in the like provisions of Minimum Rate Tariff No. 6-A. The decision also provided that, in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 6-A should be amended by separate order.

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 August 22, 1970, the revised pages attached hereto and made a part hereof by this reference, said pages being specifically identified as:

Fifth Revised Page 9-A
Second Revised Page 10

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 67154, as

amended, are hereby directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

3. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff No. 6-A are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff No. 6-A rates herein.

4. Common carriers maintaining rates on the same level as Minimum Rate Tariff No. 6-A rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 6-A are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 6-A rates herein.

5. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff No. 6-A are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff No. 6-A rates herein.

6. 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 August 22, 1970; and the 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 pages incorporated in this order.

7. Common carriers, in establishing and maintaining the rates 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 rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

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

The effective date of this order shall be twenty-four days after the date hereof.

Dated at San Francisco, California, this 14th
day of JULY, 1970.

Chairman

William J. Vukasin, Jr.

John P. ...

James L. Sturgeon
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

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

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">ALLOWANCE FOR DELIVERY AFTER HOURS</p> <p>1. Subject to the provisions of Note 1, shipments of commodities contained in Rate Group H will be subject to rates of 90% of the mileage rates otherwise applicable for transportation when such shipments are ordered before 4:00 p.m. and are loaded, transported and delivered to bulk storage facilities all within the following periods of time:</p> <p>(a) Between 4:00 p.m. and 2:00 a.m. Monday through Friday.</p> <p>(b) Between 4:00 p.m. Friday and 2:00 a.m. the following Monday.</p> <p>NOTE 1.--The provisions of this rule are applicable only on shipments consigned to destinations located within 100 constructive miles of the point of origin or of the Group Basing Point whichever is applicable.</p>	70
<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>Common carrier rates may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation from the same point of origin to the same point of destination than results from the application of the rates herein provided. (See Notes 1, 2 and 3)</p> <p>NOTE 1.--When the common carrier rate used is subject to a minimum weight different than the minimum weight determined in accordance with the provisions of Item 190, the lesser minimum weight may be observed.</p> <p>NOTE 2.--When the common carrier rate used is based upon a weight per gallon different than that provided in Item 140, such different weight shall be observed.</p> <p>NOTE 3.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.</p>	(1) 80
<p>(1) Item 80 transferred from First Revised Page 10, Decision No. 77495</p>	
EFFECTIVE	
Correction 169	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA

SECTION 1--RULES (Continued)

(1)
 ITEM

ALTERNATIVE APPLICATION OF COMBINATIONS WITH
 COMMON CARRIER RATES

When lower aggregate charges result, rates provided in this tariff may be used in combination with common carrier rates for the same transportation as follows:

6(a) When point of origin is located beyond railhead or an established depot and point of destination is located at railhead or an established depot, add to the common carrier rate applying from any (1) team track, (2) established depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, to point of destination the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from point of origin to any such team track, depot or private railhead, from which the common carrier rate used applies. (See Notes 1, 2, 3 and 4.)

6(b) When point of origin is located at railhead or an established depot and point of destination is located beyond railhead or an established depot, add to the common carrier rate applying from point of origin to any (1) team track, (2) established depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from any such team track, depot or private railhead to which the common carrier rate used applies to point of destination. (See Notes 1, 2, 3 and 4.)

6(c) When both point of origin and point of destination are located beyond railhead or an established depot, add to the common carrier rate applying between any railheads or established depots the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from point of origin to any (1) team track, (2) depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, from which the common carrier rate used applies, plus the rate provided in this tariff, applicable to the weight of the entire shipment, for the distance from any (1) team track, (2) depot or (3) private railhead which is owned or leased by the party who contracts with the carrier for the performance of the transportation service, to which the common carrier rate used applies to point of destination. (See Notes 1, 2, 3 and 4.)

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NOTE 1.--If the route from point of origin to railhead, or from railhead to point of destination, is within the corporate limits of a single incorporated city, the rates provided in this tariff for transportation for distances of 5 miles or less, or rates established by the Commission for transportation within that city, whichever are the lower, shall apply from point of origin to railhead or from railhead to point of destination as the case may be.

NOTE 2.--When the common carrier rate used is subject to a minimum weight different than the minimum weight determined in accordance with the provisions of Item 190, the lesser minimum weight may be observed in connection with such common carrier rate.

NOTE 3.--When the common carrier rate used is based upon a weight per gallon different than that provided in Item 140, such different weight shall be observed in connection with such common carrier rate.

NOTE 4.--In applying the provisions of this item, a rate no lower than the common carrier rate and a weight no lower than the actual weight or published minimum weight (whichever is the higher) applicable in connection with the common carrier rate shall be used.

APPLICATION OF COMBINATIONS OF RATES PROVIDED
 IN THIS TARIFF

In the event any combination of rates provided in this tariff produces a lower aggregate charge for the same transportation than is produced by a one-factor through rate, such combination of rates shall be applied.

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(1) Item 80 transferred to Fifth Revised Page 9-A.

6 Change, Decision No. **77495**

EFFECTIVE

Correction 170

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
 SAN FRANCISCO, CALIFORNIA.