

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 (Petition for Modification of Decision No. 77642 in Petition No. 99) (Filed October 27, 1970)

SUPPLEMENTAL INTERIM SURCHARGE SUPPLEMENT AND ORDER

ORIGINAL

(Applicable to Minimum Rate Tariff No. 6-A) To be applied to the total transportation charges resulting under this tariff except charges resulting from the use of railhead-to-railhead rates under the alternative application of common carrier rates.

Decision No. 77642 dated August 18, 1970, authorized increases in the rates and charges in Minimum Rate Tariff No. 6-A for the transportation of petroleum and petroleum products in bulk in tank truck equipment between points in the State of California. By Petition for Modification of Decision No. 77642, California Trucking Association seeks to have Ordering Paragraph 1B(1) of the aforementioned decision amended to provide that the 75-cent increase in the hourly charges authorized thereunder be applied to portions or fractions of an hour in accordance with the corresponding percentage relationship such portions or fractions bear to a full hour.

Petitioner declares that the proposed revision in language more precisely reflects the intent of its original filing and will minimize uncertainty in applying rates and charges in the tariff.

The Commission finds that amendment of the tariff, as proposed, is reasonable and, to the extent that said amendment will result in increases, such increases are justified. A public hearing is not necessary. The Commission concludes that the tariff should be amended accordingly.

The order which follows will amend Ordering Paragraph 1B(1) of Decision No. 77642 and will be filed as a supplement to Minimum Rate Tariff No. 6-A.

IT IS ORDERED that:

1. Ordering Paragraph 1 of Decision No. 77642 is amended by substituting for subparagraph B(1) thereof the following:

"B. All other provisions of the tariff:

- (1) Increase by 75 cents per hour, each hourly charge used in computing the transportation charges. When applying this provision to tariff provisions stated in portions of an hour or fraction thereof or in minutes or fractions thereof, the 75 cents shall be applied in accordance with the corresponding percentage relationship to a full hour."

2. Common carriers subject to the Public Utilities Act to the extent that they are also subject to the minimum rate order herein are hereby directed to establish in their tariffs the surcharge specified in Ordering Paragraph 1 herein, to be applied to the total transportation charges resulting under their respective tariffs.

3. With respect to rates maintained by common carriers for transportation not subject to the minimum rate order herein and/or maintained on a level other than minimum rates for transportation for which rates are prescribed in the minimum rate order involved, said carriers are authorized to apply the surcharge specified in Ordering Paragraph 1 herein.

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

5. Common carriers are hereby authorized and directed to publish, on not less than two days' notice to the Commission and to the public, the surcharge specified in Ordering Paragraph 1 herein to become effective January 17, 1971.

6. Common carriers are hereby authorized to depart from the Commission's tariff circular requirements only to the extent necessary in establishing the interim surcharge authorized by this order.

7. 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 days after the date hereof.

Dated at San Francisco, California, this 22nd day of December, 1970.

Handwritten signatures of the Chairman and Commissioners, including names like 'Augustus' and 'William'.

Chairman

Commissioners