

ORIGINAL

Decision No. 78623

## 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  
 No. 99  
 (Filed July 14, 1970; Amended  
 July 15, 1970 and  
 February 18, 1971)

Richard W. Smith and Arlo D. Poe, Attorneys at Law,  
 and H. F. Kollmyer, for California Trucking  
 Association, petitioner.  
Robert L. McCue, for Atlantic Richfield Company,  
 protestant.  
Glen L. Green, for Lang Transportation Company, and  
Howard D. Clark, for Asbury Transportation Co.,  
 respondents.  
M. J. Nicolaus, for Western Motor Tariff Bureau,  
 interested party.  
John Lemke, for the Commission staff.

O P I N I O N

Interim Surcharge Supplement and Order in Decision No. 77642, dated August 18, 1970 (as amended in Decision No. 78116, dated December 22, 1970) in this proceeding authorized interim increases, pending hearing, in the rates and charges in Minimum Rate Tariff 6-A (MRT 6-A) to offset increased labor costs incurred by tank truck carriers as of July 1, 1970. The Second Amendment to Petition No. 99 sets forth precise adjustments in the rates and charges in MRT 6-A which would supersede the interim rates adopted in Decision No. 77642. The proposed rates in the Second Amendment to Petition No. 99 are intended to reflect wage costs

which will be incurred by tank truck carriers effective July 1, 1971. Said pleading also requests that common carriers be directed to establish in their respective tariffs such modifications as may be prescribed by the Commission's final order in this proceeding, including relief from the long- and short-haul provisions of Section 460 of the Public Utilities Code.

Public hearing on the request contained in the Second Amendment to Petition No. 99 was held before Examiner Mallory on March 15, 1971, and the matter was submitted. Evidence was presented on behalf of petitioner, California Trucking Association (CTA) and protestant Atlantic-Richfield Company (ARCO). The Commission staff assisted in the development of the record, but took no position with respect to the relief sought.

Petitioner's cost witness presented in evidence Exhibit 99-1, a report on a study of the increased costs of transporting petroleum products in tank vehicles in California. The witness stated that the rates and charges in MRT 6-A were last revised on a permanent basis pursuant to Decision No. 75797, dated June 17, 1969, in Petition No. 91. The witness testified that since those tariff revisions, the costs of transporting petroleum products have increased, principally as a result of wage contracts negotiated with the Teamsters Union. He stated that such agreements affect substantially all categories of employees of highway carriers. The witness measured the effect of the additional costs by determining the percentagewise increases in total costs which will be in effect on July 1, 1971 over total costs in effect on July 1, 1969. Exhibit 99-1 shows

that in said period driver wage costs (including fringe benefits) have increased by \$1.249 per hour, or 24.8 percent, and that total operating costs have increased by various amounts ranging from 12.5 to 18.4 percent. The witness testified that he had followed the so-called "Wage (Cost) Offset" method in developing the increased costs set forth in his study.<sup>1/</sup>

CTA's Director of its Division of Transportation Economics presented in evidence Exhibit 99-2 containing suggested rates to reflect the increased costs measured in Exhibit 99-1. He generally proposed that the base rates in the tariff (exclusive of surcharge increases) be increased by the same percentage as the percentage increase in the corresponding costs. As an exception to the foregoing the witness proposed that increased mileage costs in connection with volume tender rates bear the same relationship to the increased hourly costs as the base mileage rates bear to the base hourly rates. The base hourly rates are proposed to be increased by the approximate dollar amounts hourly wage costs have been shown to have increased.

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<sup>1/</sup> The question of the appropriate means of treating indirect expenses in offset proceedings involving MRT 6-A was left unresolved in Petition No. 91, the last permanent increase in MRT 6-A rates (Decision No. 75797), pending conclusion of a related proceeding (Case No. 5432, Petition No. 523, et al). Decision No. 76353, dated October 28, 1969, in that proceeding, found three methods of treating indirect expenses were acceptable, i.e.: the Wage (Cost) Offset method (full indirect), the Wage Offset Method (increasing a portion of indirect expenses) and the Direct Wage Offset method (no increase in indirect expenses). Decision No. 76353 also set forth the criteria for the selection of the appropriate method under different circumstances.

The witness also testified that petitioner believes that the Wage (Cost) Offset method used in the development of petitioner's cost study herein is reasonable because the period in time from the date of the introduction of the original cost study (Exhibit 50-3, dated December 19, 1963) is within the limits found reasonable in Decision No. 76353 (supra), and because said method historically has been used by CTA in prior MRT 6-A offsets and has been found reasonable by the Commission. The witness testified that it was the intention of the CTA to introduce in this proceeding new full-scale cost studies; however, shipper interests indicated to CTA that it was desirable to have more experience in connection with changes in provisions governing MRT 6-A, authorized in Decisions Nos. 77305 and 77153, dated June 3, 1970 and April 23, 1970, respectively. The witness stated that his review of cost information and carrier earnings indicated that the full amount of the increases sought herein is required if tank truck carriers' operations are to be profitable under the cost situation which will be encountered July 1, 1971 and thereafter.

The Traffic Manager of ARCO's Products Division, Western Area, testified in opposition to the increases in mileage rates in connection with volume tender service. The witness presented Exhibit 99-3 containing comparisons of present and proposed charges for volume tender movements of gasoline from Los Angeles to local destinations and from Carson to Bakersfield, and of liquified petroleum gas (LPG) from the Bakersfield area to Carson. These

comparisons showed that the effect of the proposals herein would be an increase over existing charges (including interim surcharge) of 7.2 percent on the local movement of gasoline within the Los Angeles area, 11.2 percent on the movement of gasoline from Carson to Bakersfield, and 7.3 percent on the movement of LPG from Bakersfield to Carson.

The witness explained that the mileage-rate portion of the volume tender rates are proposed to be increased by 19.6 percent, while the corresponding hourly-rate portion is proposed to be increased by a lesser amount.

The witness for protestant concluded that on high-mileage volume tenders for which rates are set forth in Item 511 of MRT 6-A, the proposed increases are unreasonable. The witness objected to the five-cent per mile increase proposed in the mileage rates, pointing out that the increase in the mileage rate for drivers in the current labor contract is only one cent per mile.

CTA's Director of its Division of Transportation Economics testified in rebuttal that the one cent per mile labor cost increase referred to by protestant's witness is increased to 3.2 cents per mile when fringe-benefit costs and indirect expenses are added to the base wage rate. He further explained that the mileage rates also include terminal costs incurred in connection with loading and unloading.

The witness further testified that mileage rates were initially developed using a relationship to the corresponding hourly rates of 25.2 miles per hour (monthly tenders) and 25.3 miles per hour (yearly tenders). The witness stated that the mileage rates proposed herein will bear a relationship to the proposed increased hourly rates based on 25.5 miles per hour, which the witness urged is as close to the original relationship as can be achieved, considering that rates are rounded to the nearest half cent.

Findings and Conclusions

1. The last general adjustment in the minimum rates and charges was made by Decision No. 75797 (supra), which reflects carrier wage costs in effect on July 1, 1969. Carriers engaged in the transportation of petroleum products in tank vehicles have incurred increased costs, principally increased wage costs, since that date. Decision No. 77642 (supra), authorized interim increases in rates to reflect increased carrier wage costs effective July 1, 1970. Collective bargaining agreements between Teamster Union employees and tank truck operators provide for further increased wages and fringe benefits as of July 1, 1971.

2. The minimum rates and charges in MRT 6-A will be deficient and unreasonably low to the extent said rates and charges do not reflect added costs resulting from increased wage costs effective July 1, 1971.

3. The cost study presented in evidence as Exhibit 99-1 reasonably measures the impact of the increased costs of transporting petroleum products in tank trucks which will be in effect on July 1, 1971.

4. The proposed rates and charges set forth in Exhibit 99-2 reasonably reflect the costs of transportation of petroleum products which will be in effect on July 1, 1971, except that mileage rates in Items 500 and 510 should be increased by 3 cents per mile. The increases resulting in the adoption of said rates are justified.

5. To the extent that the provisions of MRT 6-A have been found to constitute reasonable minimum rates and rules for common carriers defined in the Public Utilities Code, said provisions as hereinafter adjusted will be reasonable minimum rate provisions for said carriers. To the extent that the existing rates and charges of said common carriers for the transportation of petroleum and petroleum products in tank vehicles are less in volume or effect than the minimum rates and charges herein designated as reasonable for said carriers, to the same extent the rates and charges of said carriers are hereby found to be, now and for the future, unreasonable, insufficient and not justified by the actual rates of competing carriers or by the costs of other means of transportation.

We conclude that the Second Amendment to Petition No. 99 in Case No. 5436 should be granted. Minimum Rate Tariff 6-A should be amended to incorporate therein the rates found reasonable herein to become effective July 1, 1971, and the interim rates and charges established pursuant to Decisions Nos. 77642 and 78116 should be concurrently cancelled.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff 6-A (Appendix A of Decision No. 67154, as amended) is further amended by incorporating therein to become effective July 1, 1971, the revised supplement and pages listed in Appendix A, also attached hereto, which supplement, pages and appendix by this reference are made a part hereof.

2. Tariff publications required or authorized 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; such tariff publications as are required shall be made effective not later than July 1, 1971; and as to tariff publications which are authorized but not required, the authority herein granted shall expire unless exercised within sixty days after the effective date hereof.

3. 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.

4. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariff 6-A are authorized to increase such rates by the same amounts authorized for Minimum Rate Tariff 6-A rates herein.



5. 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.

6. In all other respects said 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 4th  
day of MAY, 1971.

Chairman

William J. Spence

Vernon L. Sturgeon

Ed Doherty  
Commissioners

*I dissent*

*J. Blakemore Jr., Chairman*

Commissioner THOMAS MORAN

Present but not participating.

APPENDIX A TO DECISION NO. 78629

LIST OF SUPPLEMENT AND REVISED PAGES TO MINIMUM RATE TARIFF 6-A  
AUTHORIZED BY SAID DECISION

SUPPLEMENT 1

SECOND REVISED PAGE 12

EIGHTH REVISED PAGE 16

NINTH REVISED PAGE 17

ELEVENTH REVISED PAGE 20

EIGHTH REVISED PAGE 21

NINTH REVISED PAGE 22

FIRST REVISED PAGE 22-A

SIXTH REVISED PAGE 32

SEVENTH REVISED PAGE 33

FIFTH REVISED PAGE 35

TENTH REVISED PAGE 37

NINTH REVISED PAGE 38-A

NINTH REVISED PAGE 39

(END OF APPENDIX A LIST)

SUPPLEMENT 1

(CANCELS INTERIM SURCHARGE SUPPLEMENT  
GRANTED BY DECISION NO. 77642, DATED AUGUST 18, 1970 AS  
AMENDED BY DECISION NO. 78116, DATED DECEMBER 22, 1970)

(SUPPLEMENT 1 CONTAINS ALL CHANGES)

TO

MINIMUM RATE TARIFF 6-A

HAZING

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF

PETROLEUM AND PETROLEUM PRODUCTS

(AS DESCRIBED HEREIN)

WHEN TRANSPORTED IN BULK IN TANK TRUCKS,

TANK TRAILERS OR TANK SEMITRAILERS

OVER THE PUBLIC HIGHWAYS WITHIN

THE STATE OF CALIFORNIA

BY

PETROLEUM CONTRACT CARRIERS

Decision No. 78629

EFFECTIVE

Issued by the  
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA  
State Building, Civic Center  
San Francisco, California 94102

SECTION 1--RULES (Continued)		ITEM
COLLECTION OF CHARGES		
<p>1. Except as otherwise provided in this item, transportation and accessorial charges shall be collected by the carriers prior to relinquishing physical possession of shipments entrusted to them for transportation.</p> <p>2. Upon taking precautions deemed by them to be sufficient to assure payment of charges within the credit period herein specified, carriers may relinquish possession of freight in advance of the payment of the charges thereon and may extend credit in the amount of such charges to those who undertake to pay them, such persons herein being called debtors, for a period not to exceed 7 days, excluding Sundays and legal holidays other than Saturday half-holidays. When the freight bill covering a shipment is presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following delivery of the freight. When the freight bill is not presented to the debtor on or before the date of delivery, the credit period shall run from the first 12 o'clock midnight following the presentation of the freight bill.</p> <p>3. Where the carrier has relinquished possession of freight and collected the amount of charges represented in a freight bill presented by it as the total amount of such charges, and another freight bill for additional charges is thereafter presented to the debtor, the carrier may extend credit in the amount of such additional charges for a period of 30 calendar days to be computed from the first 12 o'clock midnight following the presentation of the subsequently presented freight bill.</p> <p>4. Freight bills for all transportation and accessorial charges shall be presented to the debtors within 7 calendar days from the first 12 o'clock midnight following delivery of the freight.</p> <p>5. Debtors may elect to have their freight bills presented by means of the United States mail, and when the mail service is so used the time of mailing by the carrier, as evidenced by the postmark, shall be deemed to be the time of presentation of the freight bills.</p> <p>6. The mailing by the debtor of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit period allowed such debtor may be deemed to be the collection of the charges within the credit period for the purpose of these rules. In case of dispute as to the time of mailing, the postmark shall be accepted as showing such time.</p> <p>6 7. When the shipper has elected to use the monthly or yearly provisions of Item 510 in this tariff, carrier shall bill and collect within seven days after the start of the transportation, and monthly thereafter on yearly tenders a prepayment of \$3,500.00 of the charges accumulated under the provisions of Items 510 and 511.</p>		6120
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ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		

SECTION 1--RULES	ITEM
<p style="text-align: center;">DEMURRAGE OR DETENTION CHARGES</p> <p>1. A charge of \$2.80 for each one-quarter hour, or fraction thereof, shall be assessed for the time carrier's equipment is detained through no fault of the carrier to complete loading or unloading in excess of the free time specified in paragraphs (a), (b) or (c).</p> <p>(a) Applies only in connection with transportation of commodities in RATE GROUPS A, B, C, D, E and F as described in Item 30.</p> <p>(1) One hour free loading and one and one-half hours free unloading time shall be allowed.</p> <p>(b) Applies only in connection with the transportation of commodities in Rate Group G.</p> <p>(1) One and one-half hours free loading and two hours free unloading time shall be allowed.</p> <p>(c) Applies only in connection with transportation of commodities in Rate Group H. (See Note)</p> <p>(1) One hour free loading time and two hours free unloading time shall be allowed.</p> <p>2. Applies only in connection with the spreading of commodities in Rate Group H. (See Note)</p> <p>(a) A charge of \$4.15 for each one-quarter hour, or fraction thereof, shall be assessed for the time carrier's equipment is detained through no fault of the carrier to complete spreading in excess of the free time specified in paragraph (1).</p> <p>(1) Two hours free unloading time shall be allowed.</p> <p>NOTE.—When shipper or consignee orders load to be delivered at a specifically designated time and carrier has its equipment at destination point at designated time, free time will commence at the time designated for delivery.</p>	160
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SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;"><b>LOADING AND/OR UNLOADING OF EQUIPMENT</b></p> <p>1. The rates and charges contained in this tariff include the furnishing by carrier, without extra charge, a maximum of one length of cargo hose equipped with coupling for use in loading and/or unloading the shipment. (See Note 1)</p> <p>2. Provided that a specific request is made prior to dispatch of equipment from the carrier's terminal to load, the following special equipment will be provided at the charges shown:</p> <ul style="list-style-type: none"> <li>(a) Except as provided in paragraph 3, no more than 5 lengths of cargo hose in addition to that provided in accordance with paragraph 1 will be furnished at an extra charge of \$2.50 per length, except for the first additional length of hose for which no additional charge shall be made. (See Note 1)</li> <li>(b) Except for the service of spreading as provided for in Item 240, rates provided in this tariff do not include pumping service when rendered with carrier's equipment. When pumping service is performed by the carrier, a charge of 1½ cents per 100 pounds will be made computed on the basis of the total billed weight of the shipment (subject to Note 3).</li> <li>(c) Special fittings and/or nozzles will be furnished by carrier without extra charge, subject to such equipment being on hand and available.</li> </ul> <p>3. In the event that carrier is not notified of the need for special equipment as provided in paragraph 2 prior to dispatch of equipment from its terminal to load or in the event that shipper requests a total of more than 6 lengths of hose (See Note 2) the extra equipment provided for in paragraph 2 will be furnished at the charges provided for therein plus the following additional charges for pickup and delivery of the extra equipment:</p> <ul style="list-style-type: none"> <li>(a) \$8.60 per hour or fraction thereof will be assessed for driver of pickup and delivery equipment, with such time to be computed from the time that driver is dispatched from carrier's terminal until his return thereto.</li> <li>(b) 12 cents per mile will be assessed for actual vehicle mileage traveled in effecting pickup and delivery of the extra equipment provided for in paragraph 2. Said mileage shall include but not be limited to all mileages traveled to and from carrier's terminal.</li> <li>(c) Carrier will furnish shipper with an itemized record showing hours and mileage upon which charges are based.</li> </ul> <p>4. In no event shall any provisions of this item be construed to supersede or to be in lieu of provisions otherwise specifically provided for in this tariff.</p> <p>NOTE 1.--A length of cargo hose shall be not less than 12 feet nor more than 20 feet in length.</p> <p>NOTE 2.--The furnishing by carrier of more than 6 lengths of cargo hose shall be subject to such extra hose being on hand and available.</p> <p>NOTE 3.--When in conjunction with a shipment on which spreading service has been provided, a portion is pumped off into storage, charges for pumping service shall be computed only on that portion of the shipment actually pumped off to storage.</p>	<p>6170</p>
<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">                 ◇ Change                  ◇ Increase             </div> <div style="font-size: 2em; margin-right: 10px;">}</div> <div>                 Decision No. <span style="font-size: 1.5em; font-weight: bold;">78629</span> </div> </div>	
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<div style="display: flex; justify-content: space-between;"> <span>Correction</span> <span>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</span> </div>	

SECTION 1--RULES (Continued)	ITEM
<p style="text-align: center;">SHIPMENTS DIVERTED OR STOPPED IN TRANSIT FOR WEIGHING OR FOR PARTIAL LOADING OR UNLOADING</p> <p>1. Charges for shipments which, at request of consignor or consignee, or for any other reason beyond the control of the carrier, are either diverted or stopped in transit for weighing or for partial loading or unloading shall be computed at the rate applicable from point of origin to the point where delivery is completed via each of the points where diversion occurs or where weighing (either loaded or empty) or partial loading or unloading is performed. (Subject to Notes 1, 3, 4, 5, 6, 7 and 8)</p> <p>2. Charges for shipments which, at request of consignor or consignee, or for any other reason beyond the control of the carrier, are either diverted or stopped in transit for weighing or for partial loading or unloading shall be computed at the mileage rate based on 50% of the mileage applicable from point of origin to return thereto via each of the points where diversion occurs or where weighing (either loaded or empty) or partial loading or unloading is performed. (Subject to Notes 2, 3, 4, 5, 6, 7 and 8)</p> <p>NOTE 1.--The provisions of Paragraph 1 will apply only on shipments where charges are based on a mileage of less than 50 constructive miles and/or when a geographical order of pickup or delivery is specified by the shipper or consignee which results in a higher through mileage than that incurred via the shortest mileage route.</p> <p>NOTE 2.--The provisions of Paragraph 2 will apply only on shipments which are not subject to the provisions of Paragraph 1.</p> <p>NOTE 3.--Charges for shipments of Crude Oil transported under the provisions of Item 450 shall be computed at the highest rate provided to any point where diversion occurs or delivery is performed.</p> <p>NOTE 4.--Shipments shall be subject to an additional charge of \$9.70 for each stop in transit to partially load or unload, and of \$2.00 for each stop to obtain weights (either loaded or empty).</p> <p>NOTE 5.--Provisions herein contemplate that carrier's equipment shall not stand by awaiting diversion instructions for a period of time in excess of one-half hour. Any such time in excess of one-half hour shall be construed to be excess unloading time and charges for at the rates provided in Item 160.</p> <p>NOTE 6.--A diverted shipment is one for which either a consignee, destination point, or both are changed after departure from the point of origin. In no event shall a return shipment be construed as a diverted shipment.</p> <p>NOTE 7.--Shipments diverted or stopped in transit for weighing or for partial loading or unloading shall be subject to applicable mileage rates computed from origin to ultimate destination via point or points of diversion or stop in transit, whether or not the entire movement occurs within a group. Applicable mileage shall be determined from the current Distance Table. The group basing points named in Item 300 will not apply; except that in all cases wherein the first point of origin or the last point of destination is located within a group, mileage shall be computed from or to the basing point of the group in which said point is located. Two constructive miles shall be added for each point in excess of one located within a single metropolitan zone.</p> <p>NOTE 8.--This item shall not apply on any shipment where weighing is performed by shipper or consignee at scales located at either point of origin or destination.</p>	\$220
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SECTION 1--RULES (Continued)		ITEM
SHIPMENTS RETURNED		
<p>¶1. Charges upon a shipment or a portion of a shipment returned to point of origin shall be computed for such return on actual gallonage at one-half of the rate applicable on the outbound movement, subject to a minimum charge of \$28.00, and further subject to a flat additional charge of \$5.65. (Subject to Notes 1, 2 and 4)</p> <p>¶2. The provisions of Paragraph 1 will also apply to the return of contaminated shipments which are not in carrier's possession at time of tender, subject to an additional charge of \$8.80, said charge to be in addition to all other applicable charges and subject to Note 3.</p> <p>¶NOTE 1.--Shipments shall be subject to an additional charge of \$9.70 for each stop in transit to partially load or unload.</p> <p>NOTE 2.--Except as otherwise provided in Paragraph 2, applies only on shipments or portions of shipments which have not been unloaded from carrier's equipment.</p> <p>NOTE 3.--The provisions of Paragraph 2 apply only on shipments or portions thereof loaded at the precise destination point of the outbound shipment for return to the plant from which they were originally shipped.</p> <p>NOTE 4.--Within the meaning of this item, a return shipment shall also include a shipment which is returned to point of origin for any reason before it has reached its original billed destination with the charges on such a shipment being computed on the return from the actual point where the return commenced rather than from the original billed destination.</p>		6225
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SECTION 1--RULES (Continued)		ITEM											
<p style="text-align: center;">SPREADING</p> <p>(Applies only in connection with transportation of commodities named in Rate Group H.)</p> <p>§1. The service of spreading commodities named in Rate Group H shall be performed at the rate of 010½ cents per 100 pounds, computed on the basis of the weight spread. This rate includes only services of a driver of carrier's equipment. Charges for extra labor shall be computed under the provisions of Item 250.</p> <p>§2. The minimum spreading charge per load shall be 0\$43.65 for each load transported in connected tank vehicles, and 0\$37.80 per truck load.</p>		240											
<p style="text-align: center;">ACCESSORIAL SERVICES</p> <p>When carrier performs any accessorial or incidental service which is not authorized to be performed under rates named in this tariff, and for which a charge is not otherwise provided, additional charges shall be assessed as follows:</p> <table> <tr> <th rowspan="2"></th><th colspan="2">Charge in Cents</th></tr> <tr> <th>For First 30 Minutes or Fraction Thereof</th><th>For Each Additional 15 Minutes or Fraction Thereof</th></tr> <tr> <td>a) For Driver, Helper or Other Employee, per Man</td><td>0430</td><td>0215</td></tr> <tr> <td>b) For Unit of Equipment</td><td>94</td><td>47</td></tr> </table> <p>The charge for unit of equipment shall apply whenever the accessorial or incidental service requires its use, or whenever the unit of equipment is inactivated by reason of its driver or helper being engaged in such service.</p> <p>When in response to shipper's request carrier supplies special equipment, accessories, or accessorial services not otherwise specified in this tariff, in connection with transportation which is performed subject to the rates named in this tariff, a reasonable charge therefor shall be made by the carrier against the shipper. In no event shall the charge be less than the cost of such equipment and/or service.</p> <p>§Extra labor furnished in connection with the transportation of commodities named in Rate Group H, other than driver of carrier's equipment, shall be charged for at the rate of 0\$8.60 per man per hour, subject to a minimum charge of 8 hours. An additional charge of \$2.50 per hour or fraction thereof shall be added to the above charge for time spent spreading.</p>			Charge in Cents		For First 30 Minutes or Fraction Thereof	For Each Additional 15 Minutes or Fraction Thereof	a) For Driver, Helper or Other Employee, per Man	0430	0215	b) For Unit of Equipment	94	47	250
	Charge in Cents												
	For First 30 Minutes or Fraction Thereof	For Each Additional 15 Minutes or Fraction Thereof											
a) For Driver, Helper or Other Employee, per Man	0430	0215											
b) For Unit of Equipment	94	47											
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SECTION 1--RULES (Concluded)	ITEM																																
<p style="text-align: center;">CONNECTING TO MOBILE ROAD MIXERS</p> <p>(Applies only in connection with transportation of Asphalt or Road Oil.)</p> <p>A charge of 04½ cents per 100 pounds shall be made for service of connecting carrier's equipment to mobile road mixers.</p>	\$260																																
<p style="text-align: center;">INTERNAL CARGO TANK CLEANING</p> <p>1. A cleaning charge as specified in paragraph 3 shall be assessed on shipments containing any of the following commodities (see Exception):</p> <table><tbody><tr><td>Absorption Oil,</td><td>Paraffine Wax,</td></tr><tr><td>Belt Oil,</td><td>Petroleum or Petrolatum,</td></tr><tr><td>Compression Oil,</td><td>Preparations, including</td></tr><tr><td>Cordage Oil,</td><td>Cosmoline, Densoline,</td></tr><tr><td>Floor Oil,</td><td>Litholine, Petroleum Jelly,</td></tr><tr><td>Grease, Axle,</td><td>Petrolina or Vaseline,</td></tr><tr><td>Grease, Lubricating,</td><td>Petroleum Fatty Acid or</td></tr><tr><td>Grease, NOS,</td><td>Naphthenic Acid,</td></tr><tr><td>Harness Oil,</td><td>Putty Oil,</td></tr><tr><td>Leather Oil,</td><td>Soap Oil,</td></tr><tr><td>Lubricating Oil,</td><td>Tanners' Oil</td></tr><tr><td>Miners' Oil,</td><td>Tobacco Oil,</td></tr><tr><td>Miners' Oil Stock,</td><td>Transformer Oil,</td></tr><tr><td>Neatsfoot Oil,</td><td>Wax, NOS,</td></tr><tr><td>Oil, NOS,</td><td>Wax Tailings,</td></tr><tr><td></td><td>Wool Oil.</td></tr></tbody></table> <p>2. On all other commodities a cleaning charge as specified in paragraph 3 shall be assessed when cleaning services are requested by the shipper.</p> <p>3. For the service of internal cargo tank cleaning, a charge of \$15.00 shall be made for each unit of equipment.</p> <p>EXCEPTION.--Cleaning charge herein provided shall not apply unless cleaning service is performed subsequent to transportation of the shipment.</p>	Absorption Oil,	Paraffine Wax,	Belt Oil,	Petroleum or Petrolatum,	Compression Oil,	Preparations, including	Cordage Oil,	Cosmoline, Densoline,	Floor Oil,	Litholine, Petroleum Jelly,	Grease, Axle,	Petrolina or Vaseline,	Grease, Lubricating,	Petroleum Fatty Acid or	Grease, NOS,	Naphthenic Acid,	Harness Oil,	Putty Oil,	Leather Oil,	Soap Oil,	Lubricating Oil,	Tanners' Oil	Miners' Oil,	Tobacco Oil,	Miners' Oil Stock,	Transformer Oil,	Neatsfoot Oil,	Wax, NOS,	Oil, NOS,	Wax Tailings,		Wool Oil.	270
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<div><div>◊ Change ◊ Increase</div><div>} Decision No. 78629</div></div>																																	
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<div>Correction</div> <div>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</div>																																	

MINIMUM RATE TARIFF 6-A

SECTION 3--DISTANCE RATES In Cents per 100 Pounds											ITEM
<p>Rates in this item will not apply to transportation for which rates are specifically provided in other items in this section.</p> <p>Column 1--Rates apply on commodities named in Rate Groups A, B, C, D, E and I Column 2--Rates apply on commodities named in Rate Group F Column 3--Rates apply on commodities named in Rate Group G Column 4--Rates apply on commodities named in Rate Group H</p> <p>See Item 30 for description of commodities named in Rate Groups.</p> <p>See Item 40 for application of rates from or to points in Territorial Groups.</p> <p>See Item 150 for application of rates between points within the same Territorial Group.</p>											
MILES		RATES				MILES		RATES			
Over	But Not Over	1	COLUMNS 2 3 4			Over	But Not Over	1	COLUMNS 2 3 4		
0	5	7½	6	9½	10½	150	160	33	30½	51	40
5	10	8	6½	10½	11	160	170	35	32	54	42
10	15	8½	7½	11½	11½	170	180	37	34	56	44
15	20	9	8½	13½	11½	180	190	38	36	59	46
20	25	10	9	15	12½	190	200	40	38	62	49
25	30	11	10	16	13	200	220	43	41	67	52
30	35	12	11	17	14	220	240	47	44	72	56
35	40	13	12	18½	15½	240	260	50	47	77	60
40	45	14	13	20	16½	260	280	54	50	82	64
45	50	15	14	21½	17½	280	300	58	53	88	68
50	60	17	15½	24	19	300	325	62	57	95	72
60	70	18½	17	27	21½	325	350	66	61	101	77
70	80	20	18½	29½	23½	350	375	70	65	108	82
80	90	21½	20	32½	25½	375	400	75	69	114	87
90	100	23	21½	35	27½	400	425	80	73	120	91
100	110	24½	23	37	29½	425	450	85	77	125	96
110	120	26	24½	40	32	450	475	90	81	131	100
120	130	28	26	43	34	475	500	95	85	137	106
130	140	30	27½	45	36	500--See Note					
140	150	32	29	48	38						
<p>NOTE.--For distances over 500 miles, add to rate for 500 miles the following rates for each 25 miles or fraction thereof:</p> <p>(a) Columns 1 and 4--6½ cents per 100 pounds. (b) Column 2--5½ cents per 100 pounds. (c) Column 3--6½ cents per 100 pounds.</p>											
♦ Increase, Decision No. 78629											
EFFECTIVE											
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Correction											

SECTION 3--SPECIAL COMMODITY RATES In cents per 100 pounds			ITEM
ASPHALT, NATURAL, BY-PRODUCT OR PETROLEUM. (See Note 1)			
From	To (See Note 2)	Rates (Minimum Weight, 100,000 Pounds)	
Group 6 (as described in Item No. 300)	Oceanside	21	
	Escondido	24½	
	San Diego	25	
	Mission Gorge	28	
	Otay	28½	
	Lakeside	29	
<p>NOTE 1.--Rates in this item apply only to shipments:</p> <p>(a) tendered on one bill of lading, which are picked up at a single point of origin and delivered to a single point of destination, at carrier's convenience, within a single 24-hour period; and</p> <p>(b) having point of destination at permanent storage facilities within the described areas; and</p> <p>(c) subject to the provision that, when through no fault of the carrier, delivery of the total quantity tendered is not made within the period specified in paragraph (a), mileage rates under Item 400 will apply.</p> <p>NOTE 2.--</p> <p>OCEANSIDE--Includes all points and places located within the city limits of Oceanside, and the plant of Southcoast Asphalt Company located approximately 3 miles east of the intersection of State Sign Route 78 and U.S. Interstate Highway 5.</p> <p>ESCONDIDO--Includes all points and places located within the city limits of Escondido.</p> <p>SAN DIEGO--Includes all points and places located within Metropolitan Zones 307, 308, 309 and 310 as described in Section 2-A of the Distance Table and includes points and places within two miles of the intersection of Miramar Road and U.S. Highway 395.</p> <p>MISSION GORGE--Includes all points and places located within a 2-mile radius of the junction of Mission Gorge Road and Bell Road.</p> <p>OTAY--Includes all points and places located within a 2-mile radius of Main Street and Beyer Way in Otay.</p> <p>LAKESIDE--Includes all points and places located within a 2-mile radius of the junction of Slaughterhouse Canyon and State Sign Route 67.</p>			0410
♦ Increase, Decision No. 78629			
EFFECTIVE			
Correction			ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 3--SPECIAL COMMODITY RATES (Concluded)  
In cents per 100 pounds

ITEM

PETROLEUM CRUDE OIL, as described in Item 30.

Column A rates apply for transportation when consignor's facilities do not permit loading, or consignee's facilities do not permit delivery, 24 hours per day.

Column B rates apply only for transportation when consignor's facilities permit loading, and consignee's facilities permit delivery, 24 hours per day.

See Items 310 and 320 for description of Crude Oil Groups.

BETWEEN AND Crude Oil Groups	CRUDE OIL GROUPS									
	A		B		C		D		E	
	Column A B		Column A B		Column A B		Column A B		Column A B	
A	6½	5½								
B	8	6½	6½	5½						
C	13	9½	9½	8	6½	5½				
D	15	11½	13½	10	8½	7	6½	5½		
E	11½	9	10	8½	9	7½	10½	7½	6½	5½
F	8	6½	8½	7	10	8½	13½	10	8½	7
G	10½	8½	8	6½	7½	6½	9½	8	9½	8
H	13½	10	11½	9	8½	7	11½	9	9	7½
I	10½	8½	8	6½	9½	7½	13½	10½	12	9½

0450

BETWEEN AND Crude Oil Groups	CRUDE OIL GROUPS									
	F		G		H		I			
	Column A B		Column A B		Column A B		Column A B			
F	6½	5½								
G	9	7½	6½	5½						
H	9½	7½	9	7½	6½	5½				
I	10½	8½	7½	6½	9½	8	6½	5½		

◇ Increase, Decision No.

78629

EFFECTIVE

Correction

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

SECTION 4--VEHICLE UNIT RATES		ITEM
DAILY VEHICLE UNIT VOLUME TENDER RATES		
The rates in this item will apply for the transportation of all commodities except commodities named in Rate Group H, as described in Item 30, and those commodities requiring pressurized equipment from any origin points to points of destination located within 250 miles of the first point of origin when performed subject to and in accordance with the provisions of Items 520 and 521.		
The provisions of this item apply only when, prior to the transportation of the property, the shipper has requested verbally or in writing that the transportation be performed under the provisions of this item and charges are prepaid, providing that if requested verbally the shipper shall place a confirming written request in the United States mail the same day as verbally requested. (For form of agreement, see Item 520.)		
RATES (Vehicle Unit Rates)		Per Day
The basic charge per equipment unit shall be (see Note 1)-----		\$40.00
PLUS		
an additional charge of \$8.00 per hour (see Notes 2, 3 and 4) or \$.33 per mile, whichever produces the higher total charge, for all time that a driver or drivers are assigned to operate the vehicle.		\$500
PLUS		
an additional charge per mile of:		
First 50 miles-----		\$.25
Next 100 miles-----		\$.22½
Over 150 miles-----		\$.20
NOTE 1.--No allowance shall be made to the shipper for any nonproductive or lost time except that if the unit of equipment is inoperable for a period exceeding four hours in any day awaiting replacement or repair, the calendar period shall be extended for any such time exceeding four hours.		
NOTE 2.--In the event that a driver is unable to complete a shipment because of an excess of hours of service and must layover en route as required by law, a charge of \$6.30 per hour, minimum 8 hours, will be assessed in addition to all other time that a driver or drivers are assigned to operate the vehicle.		
NOTE 3.--Subject to a minimum charge based on 20 hours for each engagement that a driver or drivers are assigned to operate the vehicle.		
NOTE 4.--If equipment includes bottom loading capability or pumps or meters, the following additional charge shall be assessed per day:		
Per meter-----		\$2.50
Per pump-----		\$1.00
Per tank with bottom loader-----		\$2.00
o Change ) o Increase ) Decision No. 78629		
EFFECTIVE		
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.		
Correction		

SECTION 4--VEHICLE UNIT RATES (Continued)		ITEM
<p>INCENTIVE UNIT VOLUME TENDER RATES (Continued)                      (Items 510, 511 and 512)</p>		
	<p>Monthly Tender</p>	<p>Yearly Tender</p>
<p>Subject to the provisions of Paragraphs 1 and 2 in Item 510 an additional charge (see Exception) shall be assessed computed on the period of tender elected per hour (see Notes 1 and 2) or \$0.28 per mile on monthly tender or \$0.27 1/2 per mile on yearly tender, whichever produces the higher total charge, for all time that a driver or drivers are assigned to operate the vehicle. -----</p>		<p>\$7.90      \$7.80</p>
<p>EXCEPTION: Will not apply to any period of time for which charges are made under the provisions of Paragraph 5, Item 520.</p>		511
<p>NOTE 1.--In the event that a driver is unable to complete a shipment because of an excess of hours of service and must layover enroute as required by law, a charge of \$7.90 per hour, minimum 8 hours, will be assessed in addition to all other time that a driver or drivers are assigned to operate the vehicle.</p>		
<p>NOTE 2.--Subject to a minimum charge based on 20 hours for each day that a driver or drivers are assigned to operate the vehicle.</p>		
<p>NOTE 3.--All charges under yearly tender shall be assessed on a calendar month basis.</p>		
<p>(Continued in Item 512)</p>		
<p>Change )                      Increase ) Decision No. 78629</p>		
EFFECTIVE		
<p>Correction</p>		<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,                      SAN FRANCISCO, CALIFORNIA</p>

SECTION 4--VEHICLE UNIT RATES (Continued)		ITEM
<p style="text-align: center;">VOLUME TENDER QUALIFICATIONS (Applies only in connection with items making reference hereto.) (Items 520 and 521)</p> <p>1. Each engagement shall commence at time of arrival of carrier's equipment at point of origin and shall terminate at the expiration of the calendar period requested in advance by the shipper or when released by the shipper within the requested calendar period, provided that the engagement shall not be deemed to be terminated until carrier's equipment is returned or charges are paid for return of carrier's equipment to the first point of origin of the engagement.</p> <p>2. As used in Section 4, the following definitions of calendar periods shall apply:</p> <p>(a) DAY means 24 consecutive hours. (b) MONTH, when used in connection with monthly tenders, means 30 consecutive days. (c) YEAR means 12 consecutive calendar months.</p> <p>3. As used in Section 4, "unit of carrier's equipment" means any power unit, tank trailer or tank semitrailer, or any combination of such highway vehicles operated together as a single unit. It also includes any of such vehicles used in the replacement of the unit of carrier's equipment, or a portion thereof, which has become inoperable while engaged in transportation under this item.</p> <p>4. Mileages applicable in connection with this item shall be actual mileages, and shall include all miles operated for any purpose during the period of engagement.</p> <p>5. Charges for time used in excess of the calendar period requested shall be computed as follows: (1) At the rate of \$9.10 per hour or fraction thereof plus 30 cents per mile until delivery of the product is completed; (2) At the rate of 45 cents per mile for return of equipment from the point of final delivery to the first point of origin of the engagement. Said charge based on actual mileage shall apply whether or not carrier's equipment is physically returned to first point of origin of the engagement.</p> <p>6. The mileage charge contained in Item 511 will apply for all miles required to exchange drivers at other than the first point of origin.</p> <p>7. Carrier will provide internal cargo tank cleaning if requested by the shipper during any volume tender period subject to an additional charge of \$15.00 for the cleaning of each unit of carrier's equipment. In addition thereto, carriers will also assess the applicable mileage and hourly charges set forth herein.</p> <p style="text-align: center;">(Continued in Item 521)</p>		520
<p>of Change     ) o Increase    ) Decision No.   78629</p>		
		EFFECTIVE
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