

ORIGINAL

Decision No. 81114

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 (com- )  
modities for which rates are provided )  
in Minimum Rate Tariff No. 6-A). )

Case No. 5436  
(Petitions for Modification  
Nos. 134, 135 and 136)  
(Filed January 9 and 23 and  
February 2, 1973,  
respectively)

And Related Matter )

Case No. 7783  
(Petitions for Modification  
Nos. 67, 68 and 69)  
(Filed January 9 and 23 and  
February 2, 1973,  
respectively)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 81113, entered today in  
Application No. 53782, et al. and Case No. 5432 (Petition for  
Modification No. 733), et al., the Commission authorized National  
Motor Freight Traffic Association, Inc., Agent, to revise certain  
ratings and rules in National Motor Freight Classification A-13  
and adopted such ratings and rules to govern various Commission  
minimum rate tariffs. The Commission concluded that Minimum Rate  
Tariffs 6-A and 15 should be amended to conform with the afore-  
mentioned authority and that the necessary amendments in said  
tariffs should be made by separate order.

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 March 17, 1973, Thirteenth Revised Page 6 attached  
hereto and by this reference made a part hereof.

2. Minimum Rate Tariff 15 (Appendix D to Decision No. 65072, as amended) is further amended by incorporating therein to become effective March 17, 1973, Twelfth Revised Page 4 attached hereto and by this reference made a part hereof.

3. 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 shall be made effective March 17, 1973, on one day's notice to the Commission and to the public; 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 March 17, 1973, and may be made effective on not less than one day's notice to the Commission and to the public if filed not later than May 17, 1973.

4. 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.

5. In all other respects Decisions Nos. 65072 and 67154, as amended, shall remain in full force and effect.

The effective date of this order shall be March 16, 1973.

Dated at Los Angeles, California, this 6<sup>th</sup> day  
of March, 1973.

Vernon L. Sturgeon  
President

William J. Lyons, Jr.

[Signature]  
Commissioners

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

Commissioner Thomas Moran, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

SECTION 1--RULES	ITEM
<p style="text-align: center;">DEFINITION OF TECHNICAL TERMS (Items 10 and 11)</p> <p>CARRIER means a petroleum contract carrier as defined in the Highway Carriers' Act.</p> <p>CARRIER'S EQUIPMENT means any tank motor truck, tank trailer or tank semi-trailer, or any combination of such highway vehicles operated by the carrier.</p> <p>COMMON CARRIER RATE means any intrastate rate or rates of any common carrier or common carriers, as defined in the Public Utilities Act, lawfully on file with the Commission and in effect at time of shipment.</p> <p>DEBTOR means the person obligated to pay the freight charges to the carrier, whether consignor, consignee or other party.</p> <p>DISTANCE TABLE means Distance Table 7 issued by the Public Utilities Commission.</p> <p>ESTABLISHED DEPOT means a freight terminal owned or leased and maintained by a carrier for the receipt and delivery of shipments.</p> <p>GOVERNING CLASSIFICATION means National Motor Freight Classification A-13. (See Note)</p> <p style="padding-left: 40px;">*NOTE.—The provisions of Items 300100 through 300160 of the Governing Classification are not applicable on California intrastate traffic.</p> <p>HOLIDAYS means New Year's Day (January 1), Washington's Birthday (the third Monday in February), Memorial Day (the last Monday in May), Fourth of July, Labor Day (the first Monday in September), Thanksgiving Day, the day after Thanksgiving, December 24 and Christmas Day (December 25). When a holiday falls on Sunday, the following Monday shall be considered as a holiday.</p> <p>INDEPENDENT-CONTRACTOR SUBHAULER means any carrier who renders service for a principal carrier, for a specified recompense, for a specified result, under the control of the principal as to the result of the work only and not as to the means by which such result is accomplished.</p> <p>LOADING TIME means that time which commences when carrier's equipment arrives at point of origin or at the time specified by the shipper, whichever is later, and terminates when carrier's equipment is released for departure from point of origin. Carrier shall be deemed to have arrived at point of origin when carrier's equipment has been presented for admission at consignor's premises.</p> <p>MOBILE ROAD MIXER means contractor's or road making equipment that is equipped and being used in mobile service for the picking up of raw materials along a road or a proposed road, mixing them with petroleum products as described herein and dumped behind said moving road mixer. The equipment of carrier is attached to the mobile unit and proceeds with said unit in its road mixing service. The moving road mixer may either pump over the load or the carrier's equipment may pump over the load as the case may be. When carrier's equipment pumps the load, pumping charges as provided in paragraph (2) (b) of Item 170 apply in addition to the rates as otherwise provided herein.</p> <p style="text-align: center;">(Continued in Item 11)</p>	210
<p>Change        ) Decision No. Addition     )</p> <p style="text-align: center; font-size: 1.5em;">81114</p>	
EFFECTIVE	
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

SECTION 1—RULES	ITEM
<p style="text-align: center;"><b>DEFINITION OF TECHNICAL TERMS</b></p> <p><b>AIR MILE</b> means a statute mile measured in a straight line without regard to terrain features or differences in elevation.</p> <p><b>BASE OF OPERATIONS</b> means the single point described in the written agreement which shall be a point at which the shipper will regularly tender freight to the carrier or will regularly receive freight from the carrier.</p> <p><b>CARRIER</b> means a radial highway common carrier, a highway contract carrier or a cement contract carrier as defined in the Highway Carriers' Act.</p> <p><b>CARRIER'S EQUIPMENT</b> means any motor truck or other self-propelled highway vehicle, trailer, semi-trailer, or any combination of such highway vehicles, operated by the carrier.</p> <p><b>CHILLED TEMPERATURE CONTROL SERVICE</b> means the service of providing protection against heat and maintaining the commodity at a temperature higher than 32 degrees Fahrenheit.</p> <p><b>DANGEROUS ARTICLES TARIFF</b> means Motor Carriers' Explosives and Dangerous Articles Tariff 14, Cal.P.U.C. 9, of American Trucking Associations, Inc., Agent, including supplements thereto and reissues thereof.</p> <p><b>ESCORT SERVICE</b> means the furnishing of pilot cars or vehicles by a carrier as may be required by any government agency to accompany a shipment for highway safety.</p> <p><b>FROZEN TEMPERATURE CONTROL SERVICE</b> means the service of providing protection against heat and maintaining the commodity at a temperature of 32 degrees Fahrenheit or lower.</p> <p><b>GOVERNING CLASSIFICATION</b> means National Motor Freight Classification A-13. (See Note)  <b>NOTE.</b>—The provisions of Items 300100 through 300160 of the Governing Classification are not applicable on California intrastate traffic.</p> <p><b>HOLIDAYS</b> means New Year's Day (January 1), Washington's Birthday (the third Monday in February), Memorial Day (the last Monday in May), Fourth of July, Labor Day (the first Monday in September), Thanksgiving Day, the day after Thanksgiving, December 24 and Christmas Day (December 25). When a holiday falls on a Sunday, the following Monday will be considered as a holiday.</p> <p><b>PERMIT SHIPMENT</b> means a shipment which because of its width, length, height, weight or size requires special authority from a governmental agency regulating the use of highways, roads or streets for the transportation of such shipment in whole or in part.</p> <p><b>RATE</b> includes charge and also rules governing and the accessorial charges applying in connection therewith.</p> <p><b>TEMPERATURE CONTROL SERVICE</b> means the protection from heat by use of ice (either water or solidified carbon dioxide), by mechanical refrigeration or by release of liquefied gases.</p>	6 10
<p>           * Change        )            * Addition    )    Decision No.         </p> <p style="text-align: center; font-size: 1.5em;">81114</p>	
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