

Decision No. 81218

**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 )  
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  
(Petitions for Modification  
Nos. 134, 135 and 136)

SUPPLEMENTAL OPINION AND ORDER

It has come to the Commission's attention that a provision previously authorized to become effective March 31, 1973, was inadvertently omitted in Decision No. 81114 in the above proceedings.<sup>1</sup>

In the circumstances, the Commission finds that the necessary correction should be made by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 6-A should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 6-A (Appendix A to Decision No. 67154, as amended) is further amended by incorporating therein to become effective March 31, 1973, Fourteenth Revised Page 6 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 shall be made effective March 31, 1973, on not less than one day's notice to the Commission

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<sup>1</sup> The definition of "Carrier's Equipment" as authorized by Decision No. 81070 dated February 21, 1973, in Case No. 5436 (Petition No. 123) et al., was omitted.

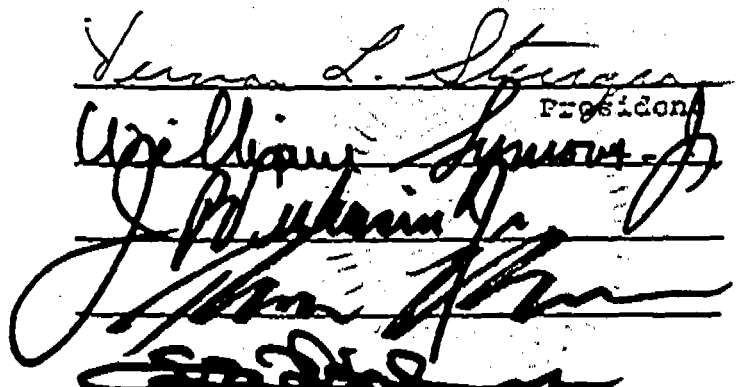
and to the public; and tariff publications which are authorized but not required to be made by common carriers as a result of the order herein may be made effective not earlier than March 31, 1973 and may be made effective on not less than one day's notice to the Commission and to the public if filed not later than May 31, 1973.

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.

The effective date of this order is the date hereof.

Dated at Los Angeles, California, this 27<sup>th</sup> day of March, 1973.

  
President  
Commissioners

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 or other self-propelled highway vehicle, 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>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>	<p>§10</p>
<p>§ Change, Decision No.</p>	
EFFECTIVE	
<p>Correction</p>	<p>ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.</p>