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Decision No. 87126

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation for the purpose of considering and determining minimum rates for transportation of petroleum and petroleum products in bulk, in tank truck equipment statewide as provided in Minimum Rate Tariff 6-B and the revisions or reissues thereof.	Case No. 5436 Petitions for Modification Nos. 237 and 239 (Filed February 11 and 18, 1977, respectively)

OPINION AND ORDER

Minimum Rate Tariff 6-B (MRT 6-B) names minimum rates and rules for the transportation of petroleum and petroleum products in bulk in tank truck equipment by petroleum contract carriers. By these petitions, California Trucking Association seeks to have MRT 6-B amended by extending the expiration date governing special monthly vehicle unit rates applicable from Colton, Imperial, Niland or San Diego to various points located within 250 miles of these origins from March 31, 1977 to March 31, 1978.

Petitioner states that the proposed extension of the expiration date is necessary to allow additional time to evaluate the effects of the tariff provisions and determine where improvements may be implemented.

Copies of the petitions were mailed to various interested parties. The petitions were listed on the Commission's Daily Calendar of February 15 and 22, 1977. Mobil Corporation has informed the Commission by letter that it supports the petitions. No objection to the granting of the petitions has been received.

In the circumstances, the Commission finds that petitioner's proposals are reasonable and justified to the extent hereinafter indicated. The involved tariff provisions will be made permanent as procedures are available to petitioner and other

interested parties in the event that they may desire to modify or cancel said provisions in the future. A public hearing is not necessary. The Commission concludes that the petitions should be granted as set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need to continue the tariff provisions in effect without a lapse in their effectiveness.

IT IS ORDERED that:

1. Minimum Rate Tariff 6-B (Appendix A to Decision 82350, as amended) is further amended by incorporating therein, to become effective April 1, 1977, Third Revised Page 44 and First Revised Page 44-A attached hereto and by this reference made a part hereof.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision 82350, as amended, are hereby authorized to establish in their tariffs the amendments necessary to conform with the further adjustments ordered herein.

3. Tariff publications authorized to be made by common carriers as a result of this order may be made effective not earlier than the fifth day after the effective date of this order, and may be made effective on not less than five 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.

4. Common carriers, in establishing and maintaining the amendments authorized hereinabove, are hereby authorized to depart from the provisions of Section 461.5 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 Decision 82350, as amended, shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of March, 1977.

Robert Batinovich
President

William Symons Jr.

Vernon L. Sturgeon

Leonard M. Grimes, Jr.

Richard D. Gravelle
Commissioners

SECTION 4--VEHICLE UNIT RATES (Continued)

ITEM

SPECIAL MONTHLY VEHICLE UNIT RATES
(Not subject to the provisions of Supplement 5)

(1) The rates provided in this item apply only when transportation is performed subject to and in accordance with the provisions of this item, and apply when carrier's unit(s) of equipment is (are) used to transport commodities as described in Rate Groups A, B, C, or I of Item 30, from one or more of the following points: Colton, Imperial, Niland or San Diego to points in California located within 250 miles of these origins.

(2) The provisions of this item apply only when prior to the transportation of the property the consignor has requested verbally or in writing that transportation be performed under the provisions of this item and has elected a 30-day tender. In the event the request is made verbally, the consignor shall place a confirming written request in the United States mail the same day that the verbal request is made. (For form of agreement, see Item 530).

(3) All applicable rates and charges must be paid by the consignor and shall be applied, subject to Notes 1 through 12, as follows:

MILES		Rates In Cents Per Gallon Per Shipment @			MILES		Rates In Cents Per Gallon Per Shipment @		
		Rate Group					Rate Group		
Over	But Not Over	A	B	C	Over	But Not Over	A	B	C
0	5	.26	.28	.31	100	110	1.52	1.60	1.77
5	10	.31	.33	.36	110	120	1.65	1.73	1.91
10	15	.36	.38	.42	120	130	1.77	1.85	2.05
15	20	.43	.45	.50	130	140	1.89	1.99	2.20
20	25	.47	.50	.55	140	150	2.02	2.11	2.34
25	30	.54	.56	.62	150	160	2.14	2.24	2.48
30	35	.60	.63	.70	160	170	2.26	2.37	2.63
35	40	.66	.70	.77	170	180	2.39	2.50	2.77
40	45	.73	.76	.84	180	190	2.51	2.64	2.92
45	50	.79	.83	.92	190	200	2.64	2.76	3.06
50	60	.89	.94	1.04	200	210	2.76	2.90	3.20
60	70	1.03	1.08	1.19	210	220	2.89	3.02	3.35
70	80	1.15	1.20	1.33	220	230	3.01	3.15	3.49
80	90	1.27	1.34	1.48	230	240	3.13	3.28	3.64
90	100	1.40	1.46	1.62	240	250	3.26	3.41	3.78

@ Includes transportation of commodities described in Rate Group I.

NOTE 1.--In the application of rates provided in this item, shippers and consignees must have their premises available to carriers to permit loading and unloading in an order that will allow carrier to maintain a twenty-four (24) hour a day schedule.

NOTE 2.--As used in this item a "30-day tender" shall mean 720 consecutive hours.

(Continued on next page)

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EFFECTIVE

Correction

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

SECTION 4--VEHICLE UNIT RATES (Continued) | ITEM

SPECIAL MONTHLY VEHICLE UNIT RATES (Continued)
(Not subject to the provisions of Supplement 5)

NOTE 3.--Carrier is not obligated to assign more than one unit of carrier's equipment to haul the total gallonage tendered, such unit of carrier's equipment to contain no meters or pumps (See Note 4).

NOTE 4.--Shipments which require pumps or meters will be accepted and shall be rated under the provisions of Item 400 of this tariff. The charges of such shipments may be used to make up the minimum charge requirement of this item.

NOTE 5.--All shipments must be tendered and loaded within the 720 consecutive hour period. A shipment loaded but not delivered within the 720 hour consecutive period will be completed and charged under the provisions of this item.

NOTE 6.--Mileage applicable in connection with this item shall be computed in accordance with Item 150.

NOTE 7.--(a)A charge of $3.70 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 Paragraph (b).

(b)A total of one hour free time will be allowed to complete loading and unloading each shipment.

NOTE 8.--When transportation is performed under the provisions of this item the following provisions or rules will not apply:

Item 160 - Demurrage or Detention Charges
Item 190 - Minimum Charge, except when transported subject to Item 400 pursuant to provisions of Note 4.
Item 210 - Issuance of Shipping Documents
Item 290 - Vapor Recovery and/or Bottom Loading Equipment

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NOTE 9.--When the total empty miles (determined in accordance with Note 6) exceed the total loaded miles of the tender, an additional charge of 65 cents per mile will be made for each excess empty mile traveled by the carrier's equipment.

NOTE 10.--The minimum charges shall be assessed upon unit's carrying capacity, as follows:

Commodities (As described in Item 30) Rate Group	Minimum Gallons Per Unit of Carrier's Equipment
A	8700
B	8300
C	7500

Subject to legal carrying capacity of carrier's unit of equipment.

NOTE 11.--Rates provided in this item are subject to a minimum charge of $5,350.00 per thirty-day tender.

NOTE 12.--Within seven days after the start of transportation hereunder, carrier shall bill and submit charges for the first week, and each seven days thereafter for the next two consecutive weeks. A final billing will be submitted at the end of the thirty-day tender.

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