

ORIGINAL

Decision No. 87320

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investiga- )  
tion for the purpose of consid- )  
ering 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 revi- )  
sions or reissues thereof. )

Case No. 5436  
Petition for Modification  
No. 230  
(Filed December 30, 1976)

OPINION AND ORDER

Minimum Rate Tariff 6-B (MRT 6-B) names minimum rates and rules for transportation of petroleum and petroleum products in bulk in tank truck equipment by petroleum contract carriers. By this petition, California Trucking Association seeks to have MRT 6-B amended by eliminating the restriction concerning the use of cargo pumps in connection with the Special Monthly Vehicle Unit Volume Tender Rates set forth in Item 523 of the tariff.

Petitioner states that experience has indicated a need for this change in order to broaden the use of the item and to enable the shipping public to take advantage of the revised item in those circumstances where cargo pumps are required.

The petition was listed on the Commission's Daily Calendar of January 4, 1977. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that petitioner's proposal is reasonable and the resulting rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation involved. A public hearing is not necessary. The Commission concludes that the

petition 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 for this rate relief.

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 May 21, 1977, Second Revised Page 43-B 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 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 page 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 10<sup>th</sup> day of  
May, 1977.

Robert Batminal  
President  
William J. Simon  
Veronica L. Stinson  
Richard D. Howell

Commissioners

SECTION 4--VEHICLE UNIT RATES (Continued)	ITEM
<p style="text-align: center;">SPECIAL MONTHLY VEHICLE UNIT VOLUME TENDER RATES (Concluded)</p> <p>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 a manner that will allow carrier to maintain a twenty-four- (24) hour-a-day schedule.</p> <p>NOTE 2.--As used in this item a "special monthly volume tender" shall mean 720 consecutive hours; except that when the tender commences on the 1st day of a calendar month, the tender will cover the full calendar month.</p> <p>NOTE 3.--Carrier is not obligated to assign more than one (1) unit of carrier's equipment to haul the total gallonage tendered; it is not required that the unit furnished be equipped with meters or pumps.**</p> <p>NOTE 4.--All shipments must be tendered and loaded within the monthly volume tender period. A shipment loaded but not delivered within the monthly volume tender period will be completed and charged under the provisions of this item.</p> <p>NOTE 5.--Mileage applicable in connection with this item shall be computed in accordance with Item 150.</p> <p>NOTE 6.--(a) A charge of \$3.90 for each one-quarter (1/4) 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).</p> <p style="padding-left: 40px;">(b) A total of two hours free time will be allowed to complete loading and unloading each shipment.</p> <p>NOTE 7.--When transportation is performed under the provisions of this item, the following provisions will not apply:</p> <p style="padding-left: 40px;">Item 100 -- Application of Combination of Rates          Item 160 -- Demurrage or Detention Charges          Item 210 -- Issuance of Shipping Documents          Item 290 -- Vapor Recovery and/or Bottom Loading Equipment</p> <p>NOTE 8.--Within 7 days after the start of transportation hereunder, carrier shall bill and collect a prepayment of \$10,000. Such payment will be deducted from the total transportation charges accumulated during such tender provided, however, that if the same consignor elects to use the same carrier for a subsequent special monthly tender period beginning within 24 hours, such prepayment shall not be deducted and shall be considered the required prepayment for said subsequent tender. A final billing will be submitted at the end of the monthly volume tender period.</p>	<p>\$60 (E) 523</p>
<p>(E) Expires with July 31, 1977</p> <p> <input type="checkbox"/> Change            )  <input type="checkbox"/> Increase         )  <input type="checkbox"/> Reduction        ) Decision No.     <b>87320</b>            ** Eliminated    )         </p>	
EFFECTIVE	
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.	

Correction