

ORIGINAL

Decision No. 89440 SEP 19 1978

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. 274  
(Filed July 24, 1978)

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 the above petition, California Trucking Association requests that the Commission extend, until September 30, 1979, the expiration date of Item 529.1 of MRT 6-B. MRT 6-B includes a Special Weekly Volume Tender Plan which, according to petitioner, was established on an experimental basis to enable a period of shipper and carrier use and exposure to the new concept, prior to evaluating the need for further revision.

Petitioner points out that the provisions have worked well and have been mutually beneficial and other modifications may be desirable so additional time is needed to formalize these and other modifications. Relief from the long- and short-haul provisions of Section 461.5 of the Public Utilities Code is also sought.

The petition was listed on the Commission's Daily Calendar of July 27, 1978. 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.

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 October 1, 1978, the revised pages contained in Appendix 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 amendment necessary to conform with the further adjustment ordered by this decision.

3. Tariff publications authorized to be made by common carriers as a result of this order may be made effective not earlier than October 1, 1978, and may be made effective on not less than ten 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 amendment authorized by this order, are 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 amendment 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 19th day of SEPTEMBER, 1978.

William J. Lyons President  
Yermy L. Sturgeon  
Delroy R. Givelle  
Clair J. DeBruin Commissioners

Commissioner Robert Batnovich, being necessarily absent, did not participate in the disposition of this proceeding.

APPENDIX A

LIST OF REVISED PAGES  
TO MINIMUM RATE TARIFF 6-B

FIRST	REVISED	PAGE	.1
FOURTH	REVISED	PAGE	44-J
SECOND	REVISED	PAGE	44-K
SECOND	REVISED	PAGE	44-L
SECOND	REVISED	PAGE	44-M

(END OF APPENDIX A)

CORRECTION NUMBER CHECKING SHEET

This tariff is issued in loose-leaf form. Correction numbers appearing on all added and revised pages will be shown consecutively in the lower left-hand corner. These correction numbers should be checked below on this checking sheet before pages are filed in tariff.

CORRECTION NUMBERS

241	296	351	406	461	516
242	297	352	407	462	517
243	298	353	408	463	518
244	299	354	409	464	519
245	300	355	410	465	520
246	301	356	411	466	521
247	302	357	412	467	522
248	303	358	413	468	523
249	304	359	414	469	524
250	305	360	415	470	525
251	306	361	416	471	526
252	307	362	417	472	527
253	308	363	418	473	528
254	309	364	419	474	529
255	310	365	420	475	530
256	311	366	421	476	531
257	312	367	422	477	532
258	313	368	423	478	533
259	314	369	424	479	534
260	315	370	425	480	535
261	316	371	426	481	536
262	317	372	427	482	537
263	318	373	428	483	538
264	319	374	429	484	539
265	320	375	430	485	540
266	321	376	431	486	541
267	322	377	432	487	542
268	323	378	433	488	543
269	324	379	434	489	544
270	325	380	435	490	545
271	326	381	436	491	546
272	327	382	437	492	547
273	328	383	438	493	548
274	329	384	439	494	549
275	330	385	440	495	550
276	331	386	441	496	551
277	332	387	442	497	552
278	333	388	443	498	553
279	334	389	444	499	554
280	335	390	445	500	555
281	336	391	446	501	556
282	337	392	447	502	557
283	338	393	448	503	558
284	339	394	449	504	559
285	340	395	450	505	560
286	341	396	451	506	561
287	342	397	452	507	562
288	343	398	453	508	563
289	344	399	454	509	564
290	345	400	455	510	565
291	346	401	456	511	566
292	347	402	457	512	567
293	348	403	458	513	568
294	349	404	459	514	569
295	350	405	460	515	570

EFFECTIVE

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

Correction

SECTION 4--VEHICLE UNIT RATES (Continued)								ITEM
<p><b>SPECIAL WEEKLY VOLUME TENDER PLAN</b></p> <p>(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 Crescent City or Eureka to points in California located within 250 miles of Crescent City.</p> <p>(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 special weekly volume tender for the use of a unit or units of carrier's equipment during a calendar week beginning with the first day of the week following notification and thereafter during a subsequent calendar week period. In the event that 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.)</p> <p>(3) Rates for transportation are in cents per gallon and will be based upon the total loaded miles per week indicated as follows:</p>								
<p><b>RATES IN CENTS PER GALLON PER SHIPMENT @</b>                      (Subject to Notes 1 through 11)</p>								
MILES		MINIMUM MILES PER EACH WEEKLY VOLUME TENDER PERIOD						
OVER	BUT NOT OVER	OVER 0	BUT NOT OVER 1200	OVER 1200	BUT NOT OVER 1800	OVER 1800	BUT NOT OVER 2300	
		1	2	1	2	1	2	§1C 529.1
0	5	.65	.76	.62	.72	.59	.68	
5	10	.68	.81	.65	.77	.62	.72	
10	15	.77	.90	.72	.85	.69	.81	
15	20	.84	.99	.75	.95	.77	.90	
20	25	.88	1.04	.84	.99	.80	.94	
25	30	.96	1.13	.91	1.06	.86	1.01	
30	35	1.12	1.31	1.05	1.24	1.00	1.18	
35	40	1.20	1.40	1.14	1.34	1.07	1.26	
40	45	1.32	1.55	1.25	1.46	1.18	1.39	
45	50	1.48	1.74	1.40	1.64	1.33	1.56	
50	60	1.56	1.82	1.47	1.73	1.40	1.64	
60	70	1.75	2.06	1.66	1.96	1.58	1.85	
70	80	1.87	2.20	1.78	2.08	1.68	1.98	
80	90	2.03	2.39	1.93	2.26	1.83	2.15	
90	100	2.15	2.53	2.04	2.40	1.94	2.28	
<p>Rates shown in column one (1) above will apply only on gasoline, kerosene, and jet turbine fuel.</p> <p>Rates shown in column two (2) will apply only on diesel fuel and distillate fuel oil.</p> <p>@ Includes transportation of commodities as described in Rate Group I.</p> <p style="text-align: center;">(Continued on next page)</p>								
<p>§66 (E) Expires with September 30, 1979.</p> <p>                     § Change )                      o Increase ) Decision No. <b>89410</b>                      o Reduction )                 </p>								
EFFECTIVE								
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.								
Correction								

MINIMUM RATE TARIFF 6-R

SECTION 4--VEHICLE UNIT RATES (Continued)								ITEM
SPECIAL WEEKLY VOLUME TENDER PLAN (Continued)								
RATES IN CENTS PER GALLON PER SHIPMENT @ (Subject to Notes 1 through 11)								
MILES		MINIMUM MILES PER EACH WEEKLY VOLUME TENDER PERIOD						
OVER	BUT NOT OVER	OVER 0	BUT NOT OVER 1200	OVER 1200	BUT NOT OVER 1800	OVER 1800	BUT NOT OVER 2300	
		1	2	1	2	1	2	
100	110	2.47	2.90	2.35	2.76	2.22	2.61	
110	120	2.63	3.08	2.49	2.94	2.36	2.78	
120	130	2.66	3.14	2.54	2.98	2.40	2.82	
130	140	2.83	3.31	2.68	3.16	2.55	2.99	
140	150	3.03	3.56	2.87	3.38	2.73	3.20	
150	160	3.30	3.88	3.14	3.68	2.98	3.49	
160	170	3.55	4.17	3.37	3.96	3.19	3.75	
170	180	3.70	4.35	3.51	4.12	3.34	3.91	
180	190	3.90	4.58	3.70	4.36	3.51	4.12	
190	200	4.06	4.77	3.86	4.53	3.65	4.29	
200	210	4.15	4.86	3.94	4.62	3.72	4.38	
210	220	4.38	5.15	4.16	4.88	3.95	4.63	
220	230	4.58	5.38	4.35	5.10	4.12	4.84	
230	240	4.89	5.75	4.65	5.46	4.41	5.13	
240	250	5.06	5.93	4.80	5.64	4.55	5.35	
RATES IN CENTS PER GALLON PER SHIPMENT @ (Subject to Notes 1 through 11)								
MILES		MINIMUM MILES PER EACH WEEKLY VOLUME TENDER PERIOD						
OVER	BUT NOT OVER	OVER 2300	BUT NOT OVER 2700	OVER 2700	BUT NOT OVER 3000	OVER 3000 MILES		
		1	2	1	2	1	2	
0	5	.55	.64	.51	.61	.50	.59	
5	10	.59	.68	.55	.64	.53	.63	
10	15	.65	.77	.62	.72	.56	.69	
15	20	.72	.84	.68	.80	.66	.77	
20	25	.76	.88	.71	.83	.69	.81	
25	30	.81	.96	.77	.90	.74	.87	
30	35	.95	1.12	.90	1.00	.86	1.02	
35	40	1.02	1.19	.96	1.13	.93	1.09	
40	45	1.12	1.32	1.05	1.23	1.02	1.20	
45	50	1.25	1.48	1.18	1.38	1.14	1.34	
50	60	1.32	1.55	1.24	1.46	1.20	1.41	
60	70	1.49	1.75	1.40	1.64	1.36	1.60	
70	80	1.59	1.86	1.49	1.76	1.45	1.70	
80	90	1.73	2.03	1.62	1.91	1.58	1.85	
90	100	1.83	2.15	1.73	2.02	1.67	1.96	
Rates shown in column one (1) above will apply only on gasoline, kerosene, and jet turbine fuel. Rates shown in column two (2) will apply only on diesel fuel and distillate fuel oil. @ Includes transportation of commodities described in Rate Group I. (Continued on next page)								SE 529.1
§06(E) Expires with September 30, 1979. § Change ) § Increase ) Decision No. <b>89410</b> § Reduction )								
EFFECTIVE								
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.								
Correction								

MINIMUM RATE TARIFF G-B

SECTION 4--VEHICLE UNIT RATES (Continued) ITEM

SPECIAL WEEKLY VOLUME TENDER PLAN (Continued)

RATES IN CENTS PER GALLON PER SHIPMENT 2  
 (Subject to Notes 1 through 11)

MILES		MINIMUM MILES PER EACH WEEKLY VOLUME TENDER PERIOD					
		BUT NOT OVER		BUT NOT OVER		OVER	
		OVER 2300	OVER 2700	OVER 2700	OVER 3000	OVER 3000 MILES	
OVER	OVER	1	2	1	2	1	2
100	110	2.09	2.46	1.98	2.31	1.92	2.25
110	120	2.23	2.62	2.10	2.47	2.04	2.39
120	130	2.26	2.66	2.14	2.50	2.07	2.43
130	140	2.40	2.82	2.26	2.65	2.19	2.57
140	150	2.57	3.02	2.42	2.84	2.35	2.76
150	160	2.81	3.29	2.64	3.10	2.56	3.01
160	170	3.01	3.54	2.84	3.32	2.75	3.22
170	180	3.15	3.69	2.96	3.47	2.87	3.37
180	190	3.31	3.89	3.13	3.66	3.02	3.55
190	200	3.45	4.05	3.25	3.82	3.15	3.69
200	210	3.51	4.14	3.31	3.89	3.21	3.77
210	220	3.72	4.37	3.50	4.11	3.40	3.99
220	230	3.89	4.51	3.66	4.30	3.55	4.17
230	240	4.17	4.88	3.91	4.60	3.80	4.46
240	250	4.29	5.05	4.04	4.75	3.91	4.83

Rates shown in column one (1) above will apply only on gasoline, kerosene, and jet turbine fuel.

Rates shown in column two (2) will apply only on diesel fuel and distillate fuel oil.

Includes transportation of commodities described in Rate Group I.

NOTE 1.--Rate column applicable to all shipments transported under the provisions of this item shall be determined by adding all loaded miles traveled on all shipments in one calendar week.

NOTE 2.--The term "calendar week" means that period commencing at 12:01 A.M., Sunday and ending at 12:00 midnight, Saturday.

NOTE 3.--Any shipment completely loaded, but not delivered, prior to 12:00 midnight, Saturday, shall be included in the calendar week.

NOTE 4.--When, during the course of performing the transportation service authorized in this item, the consignor tenders a shipment consigned to an interstate destination in the same unit of carrier's equipment engaged in transportation service under the provisions of this item, the mileage applicable in performing such interstate transportation will be recorded as provided in Note 1 and will be included in the total minimum miles per week upon which transportation charges are based.

NOTE 5.--Minimum gallons per unit of carrier's equipment shall be:

- Gasoline-----8,500 gallons
- Kerosene-----8,500 gallons
- Jet Turbine Fuel-----8,500 gallons
- Diesel Fuel and Distillate Fuel Oil-----7,200 gallons

Exception: Mixed shipments consisting of commodities listed for column 1 and column 2 shall be subject to a minimum of 7,800 gallons per unit. Charges will be computed at the separate rate applicable to each commodity in the shipment. When a mixed shipment is less than 7,800 gallons, the rate to apply on the deficit gallonage necessary to satisfy the required minimum will be assessed on the rate applicable to the lowest rated commodity in the shipment.

(Continued on next page)

§66(E) Expires with September 30, 1979.

Change )  
 Increase ) Decision No. **S9440**  
 Reduction )

EFFECTIVE

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

Correction

SECTION 4--VEHICLE UNIT RATES (Continued)	ITEM
SPECIAL WEEKLY VOLUME TENDER PLAN (Continued)	
<p>NOTE 6.--Shipments moving under rates in this item may be diverted in transit after arrival at billed destination, subject to a charge of \$7.40 per diversion, and subject to the rate applicable from point of origin to point of final destination via the point of diversion.</p> <p>NOTE 7.--All transportation, including loading and unloading, will be performed at carrier's convenience, and at times designated by carrier. Rates in this item will not apply to any shipment for which shipper or consignee has specified time of either loading and/or unloading.</p> <p>NOTE 8.--All freight or other charges incurred under the provisions of this item must be prepaid and shall be assessed by the carrier in the following manner:</p> <p>(A) Carrier will issue a freight bill covering all charges for the calendar week.</p> <p>(B) Carrier will prepare and furnish to the shipper a manifest covering all transportation services performed during the particular calendar week; such manifest shall show the following information:</p> <ol style="list-style-type: none"> <li>(1) Date each shipment transported</li> <li>(2) Bill of lading number</li> <li>(3) Points of destination</li> <li>(4) Gallons of products transported</li> <li>(5) Class of product</li> <li>(6) Loaded mileage traversed for each shipment</li> <li>(7) Accumulated mileage by shipment</li> <li>(8) Transportation charges</li> <li>(9) Accessorial charges</li> </ol> <p>NOTE 9.--A total of one and one-half (1½) hours will be allowed for completion of loading and unloading. Computation of loading and unloading times will be subject to definitions provided in Item 10. A charge of \$4.40 for each fifteen (15) minutes, or fraction thereof, will be assessed for time consumed in excess of the specified time allowances for completion of loading and unloading.</p> <p>NOTE 10.--Shipments tendered to carrier with collect on delivery instructions will be handled under the rates applicable in this item, plus an additional charge of \$4.00 for each C.O.D.</p> <p>NOTE 11.--When transportation is performed under this item, the following rules will not apply:</p> <ul style="list-style-type: none"> <li>Item 160 - Demurrage or detention charges</li> <li>Item 190 - Minimum charge</li> <li>Item 210 - Issuance of shipping documents</li> <li>Item 220 - Shipments stopped in transit for weighing, application of seals, or for partial loading or unloading</li> <li>Item 230 - Shipments diverted.</li> </ul>	<p>SE 529.1</p>
<p>600(E) Expires with September 30, 1979.</p> <p>o Change )          o Increase ) Decision No. <b>89440</b>          o Reduction )</p>	
EFFECTIVE	
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.