

Decision No. 90349 MAY 22 1979**ORIGINAL**

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. 283  
 (Filed April 11, 1979)

OPINION AND ORDER

Decision 90090 (Case 5436, Petition 265), dated March 13, 1979 provided an increase of 4½ percent in the rates contained in Minimum Rate Tariff 6-B (MRT 6-B). By this petition, California Trucking Association (CTA), seeks the same increase for Item 515, Monthly Vehicle Unit Volume Tender Rates - Octane Blending Compound.

Petitioner states that through inadvertence, petitioner's exhibit setting forth the proposed rates and charges failed to include reference to Item 515 of MRT 6-B. As a result of this inadvertent omission, the rate provided in Item 515 was not increased by the order in Decision 90090 as were the other rates and charges in MRT 6-B. The costs incurred by carriers in connection with transportation under Item 515 have been increased generally in the same amount as costs underlying the other rates and charges in the tariff, and it was petitioner's intent that the rate in Item 515 should have been increased in the same manner and at the same time as the other rates and charges in MRT 6-B. Petitioner proposes that the rate in Item 515 of MRT 6-B be increased by the same percentile amount found reasonable by the Commission in Decision 90090.

The petition was listed on the Commission's Daily Calendar of April 13, 1979. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that the petitioner's proposal will provide just, reasonable and nondiscriminatory minimum rates for the transportation governed by MRF 6-B and the increase resulting therefrom is justified. 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 thirty-nine days after the date hereof, Second Revised Page 39-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 directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered by this decision.
3. Tariff publications required to be made by common carriers as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than the effective date of the tariff page attached hereto on not less than five days' notice to the Commission and to the public; and the tariff page which is authorized but not required to be made by common carriers as a result of this order may be made effective not earlier than the effective date of the tariff page attached hereto 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 tariff page incorporated in this order.
4. Common carriers, in establishing and maintaining the rates 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 rates 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.

6. The Executive Director shall serve a copy of this decision on every common carrier, or such carriers' authorized tariff publishing agents, performing transportation services subject to Minimum Rate Tariff 6-B.

7. The Executive Director shall serve a copy of the tariff amendment on each subscriber to Minimum Rate Tariff 6-B.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 11th day of MAY, 1979.

John E. Bryan  
President

William L. Stinson  
Richard A. Howell

Lawrence M. Penick  
Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

SECTION 4--VEHICLE UNIT RATES (Continued)				ITEM
<p>MONTHLY VEHICLE UNIT VOLUME TENDER RATES-OCTANE BLENDING COMPOUND</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 commodity as described from and to points indicated.</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 30 day tender under the provisions of The Octane Blending Compound Commodity Rate; and has advised the date transportation service is to be commenced. 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) The provisions of this item will apply only when the carrier has been tendered a minimum offering of 500,000 gallons to move within the 30 consecutive day period.</p> <p>(4) All applicable charges must be paid by the consignor.</p>				0515
Rate (Subject to Notes 1 Through 4)				
Commodity	From	To	Rate In Cents Per Gallon	Truckload Minimum
Gasoline, viz.: Octane Blending Compound	Watson	Bakersfield	2.1	9650 Gallons
<p>NOTE 1.--In the application of rate 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.</p> <p>NOTE 2.--As used in this item a "30-day tender" shall mean 720 consecutive hours.</p> <p>NOTE 3.--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.</p> <p>NOTE 4.--Except as otherwise provided herein, all applicable provisions of this tariff shall apply.</p>				
o Increase, Decision No.		<b>90349</b>		
				EFFECTIVE <b>7/1/79</b>
ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.				
Correction				