

Decision No. 90443

JUN 19 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. 284  
(Filed April 16, 1979)

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 this petition, California Trucking Association (CTA) requests that the Commission amend Item 525 of MRT 6-B which sets forth Special Monthly Vehicle Unit rates from Colton, Imperial, Niland or San Diego to points in California located within 250 miles of these origins for transportation of the above mentioned products.

These provisions include those which are known as vehicle volume tender rates. Originally these provisions were established to enable for-hire carriers to more effectively compete with proprietary operations. Since their establishment by Decision 85506 in March 1976, the provisions have been found by the petitioner to be extremely helpful in maintaining efficient carrier operations resulting in lower rates consistent with the demands for this type of service.

Petitioner states that they are informed there is a potential for volume movements from Atwood. Since these rates are oriented to locations having the greatest potential for utilization petitioner proposes to have the Commission amend Item 525 of MRT 6-B by the addition of Atwood.

CTA avers that the addition of Atwood to Item 525 of MRT 6-B is desired by both shippers and carriers alike, and the proposal would promote just and reasonable rates and service in the public interest. Relief from the long- and short-haul provisions of Sections 460 and 461.5 is also sought.

The petition was listed on the Commission's Daily Calendar of April 18, 1979. 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 minimum 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 to the extent 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, Eighth Revised Page 44, 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 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 thirty-nine days after the date hereof 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 page 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.

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 14th day of JUNE, 1979.

John E. Bryson  
President  
Herbert L. Stephens  
Charles O. Moore  
Clare J. Friedrich  
Edward W. Smith  
Commissioners

SECTION 4--VEHICLE UNIT RATES (Continued)

ITEM

SPECIAL MONTHLY VEHICLE UNIT RATES

- ¶(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: \*Oatwood, 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 @		
But Not Over	Over	Rate Group			But Not Over	Over	Rate Group		
		A	B	C			A	B	C
0	5	.32	.32	.35	100	110	1.87	1.93	2.13
5	10	.37	.39	.42	110	120	2.03	2.08	2.30
10	15	.45	.45	.50	120	130	2.18	2.24	2.47
15	20	.53	.53	.58	130	140	2.34	2.39	2.65
20	25	.58	.60	.65	140	150	2.49	2.55	2.81
25	30	.66	.67	.74	150	160	2.65	2.70	2.99
30	35	.71	.76	.84	160	170	2.80	2.87	3.17
35	40	.79	.84	.93	170	180	2.96	3.03	3.34
40	45	.87	.92	1.02	180	190	3.11	3.20	3.52
45	50	.97	1.00	1.10	190	200	3.27	3.36	3.70
50	60	1.09	1.15	1.25	200	210	3.42	3.52	3.87
60	70	1.24	1.30	1.43	210	220	3.58	3.69	3.04
70	80	1.40	1.45	1.60	220	230	3.73	3.84	4.22
80	90	1.55	1.60	1.77	230	240	3.89	4.00	4.39
90	100	1.71	1.76	1.94	240	250	4.04	4.16	4.57

ø525

\* 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-hour-a-day (24) schedule.

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

(Continued on next page)

¶ Change )  
 \* Addition ) Decision No.  
 ø Reduction )

**90443**

EFFECTIVE 7/28/79

Correction

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