

Decision No. 90818 SEP 12 1979

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
Order Setting Hearing
No. 244

And Related Matters.)

Case No. 5432
Order Setting Hearing
No. 960

Case No. 6008
Order Setting Hearing
No. 36

SUPPLEMENTAL ORDER

On May 22, 1979, the Commission issued Decision No. 90354 cancelling minimum rate tariffs (MRT's) 6-B and 13 and establishing a system of competitive individual carrier-filed rates. Minimum rates were to be cancelled and the new program implemented on January 31, 1980. It now appears that the Legislature desires implementation of Decision 90354 be deferred from January 31, 1980, to April 30, 1980. In order to comply with this intent, Decision 90354 should be modified as set forth below.

IT IS ORDERED that:

1. Cancellation of minimum rate tariffs 6-B and 13 is postponed from January 31, 1980, to April 30, 1980.
2. Implementation of the Commission's program for competitive individual carrier-filed rates is deferred from January 31, 1980, to April 30, 1980.

3. Upon cancellation of MRT's 6-B and 13, contract carriers may operate only pursuant to contracts on file with the Commission. Contracts may be filed anytime prior to April 30, 1980, and thereafter as negotiated.

4. Transition tariffs 6-B and 13 will consist of the lowest rates contained in MRT's 6-B and 13 and any California Public Utilities Code Section 3666 or 452 deviations in effect on April 30, 1980.

5. All deviations authorized under Section 3666, applicable to transportation covered by these proceedings, shall expire April 30, 1980.

6. The Commission's Transportation Division shall prepare the transition tariffs for distribution by April 1, 1980.


7. Rail rates contained in contracts filed on or before April 30, 1980, and rail rates contained in motor common carrier tariffs on April 30, 1980, may continue to be charged without justification after minimum rates are cancelled.

8. The Executive Director shall serve a copy of this decision on all highway carriers and all appearances of record.

The effective date of this order shall be the date hereof.

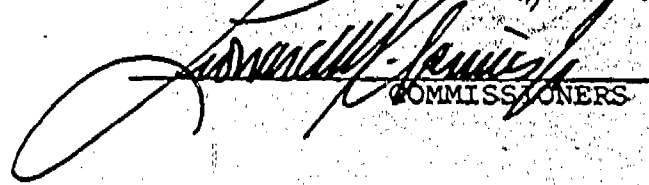
Dated SEP 12 1979, San Francisco, California.


PRESIDENT








COMMISSIONERS