

HAA/hk

Decision No. 91215 JAN 8 - 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investi-)
gation for the purpose of con-)
sidering and determining mini-)
mum 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 therof.)

Case No. 5436
Petition for Modification
No. 291
(Filed November 9, 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 seeks to amend Item 528 of MRT 6-B, "Special Vehicle Unit Volume Tender Rates 'Plan B'." The amendment would extend the expiration date from January 31, 1980 to January 31, 1981 and increase certain rates. This item prescribes the rates and rules governing unit rates for the transportation of petroleum and petroleum products from Bakersfield to points located within 250 miles of Bakersfield.

Petitioner states that the proposed extension of the expiration date is necessary to allow additional time to evaluate the effects of the tariff provisions and determine where improvements may be implemented.

Petitioner also requests that necessary modifications need to be made to ensure continuance of the original rate making relationship. Such modifications will result in an increase of five cents in five rates in the table of 120 rates and will restore the rate structure to the premised relationship.

The petition was listed on the Commission's Daily Calendar of November 13, 1979. Copies of the petition were mailed to interested parties. No objection to the granting of the petition has been received.

In the circumstances, the Commission finds that petitioner's proposal is reasonable and justified to the extent hereinafter indicated. The involved tariff provisions will be made permanent as procedures are available to petitioner and other interested parties in the event that they may desire to modify or cancel said provisions in the future. The proposed increase in rates has been shown to be justified. A public hearing is not necessary. The Commission concludes that the petition should be granted to the extent set forth in the ensuing order and the effective date of this order should be the date hereof because there is an immediate need to continue the tariff provisions in effect without a lapse in their effectiveness.

IT IS ORDERED that:

1. Minimum Rate Tariff 6-B (Appendix A to Decision No. 82350, as amended) is further amended by incorporating therein, to become effective February 1, 1980, Sixth Revised Page 44-G and Sixth Revised Page 44-H, 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 No. 82350, as amended, are hereby directed and 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 not earlier than February 1, 1980 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 pages 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 authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the amendments and rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

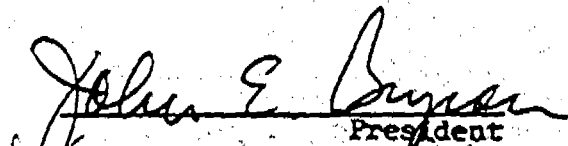
5. In all other respects Decision 82350, as amended, shall remain in full force and effect.

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 amendments on each subscriber to Minimum Rate Tariff 6-B.

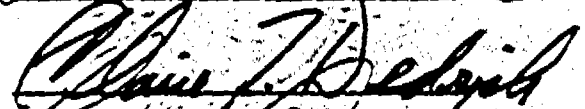
The effective date of this order is the date hereof.

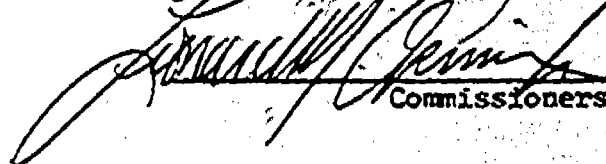
Dated JAN 8 - 1988, at San Francisco, California.


President








Commissioners

SECTION 4--VEHICLE UNIT RATES (Continued)

ITEM

SPECIAL MONTHLY VEHICLE UNIT VOLUME TENDER RATES "PLAN B"

(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 Bakersfield to points in California located within 250 miles of Bakersfield.

(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 Special Monthly Vehicle Unit Volume Tender Plan B, 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.)

(3) All applicable rates and charges must be paid by the consignor and shall be applied subject to Notes 1 through 11, as follows:

Miles Over	But Not Over	Rates in Cents Per Gallon Per Shipment ^a			
		Rate Group (4)		Rate Group (5)	
		A	B C	A	B C
0	5	.42	.48	.40	.46
5	10	.50	.57	.48	.53
10	15	.55	.63	.52	.59
15	20	.64	.72	.60	.69
20	25	.71	.79	.68	.75
25	30	.77	.87	.74	.84
30	35	.86	.96	.83	.92
35	40	.94	1.06	.89	1.02
40	45	1.03	1.16	.96	1.09
45	50	1.09	1.25	1.05	1.19
50	60	1.26	1.43	1.22	1.38
60	70	1.43	1.62	1.38	1.55
70	80	1.60	1.81	1.52	1.73
80	90	1.76	1.99	1.68	1.90
90	100	1.92	2.16	1.82	2.08
100	110	2.08	2.36	1.98	2.26
110	120	2.26	2.55	2.15	2.42
120	130	2.43	2.72	2.30	2.60
130	140	2.58	2.92	2.46	2.78
140	150	2.76	3.11	2.62	2.96
150	160	2.90	3.30	2.77	3.13
160	170	3.07	3.48	2.92	3.32
170	180	3.23	3.66	3.08	3.49
180	190	3.40	3.85	3.23	3.66
190	200	3.55	4.04	3.39	3.84
200	210	3.73	4.22	3.55	4.02
210	220	3.89	4.41	3.71	4.20
220	230	4.05	4.59	3.85	4.37
230	240	4.22	4.77	4.02	4.55
240	250	4.38	4.96	4.17	4.73

^a Includes transportation of commodities described in Rate Group I.

(4) Applies on volumes of 750,000 gallons but less than 1,000,000 gallons per month.

(5) Applies on volumes of 1,000,000 gallons or more per month.

(Continued on next page)

Change

◊ Increase

○ Reduction, except as noted

Decision No.

91215

EFFECTIVE FEBRUARY 1, 1980

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

SECTION 4--VEHICLE UNIT RATES--(Continued) ITEM

SPECIAL MONTHLY VEHICLE UNIT VOLUME TENDER RATES "PLAN B"

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 24-hour-a-day schedule.

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

NOTE 3.--Carrier is not obligated to assign more than one unit of carrier's equipment to haul the total gallonage offered for transportation; such unit of carrier's equipment to contain no meters nor pumps. However, carrier agrees that each unit furnished for the transportation services provided for in this item will comply with local, state and federal environmental regulations applicable within the geographical scope of the provisions of this item. (See Note 4).

NOTE 4.--Shipments which require pumps or meters will be accepted and shall be rated under the provisions of Item 400 of this tariff. The charges of such shipments may be used to make up the minimum charge requirements of this item.

NOTE 5.--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.

NOTE 6.--Mileage applicable in connection with this item shall be computed in accordance with Item 150.

NOTE 7.--Carrier will allow a total of one and one-quarter (1 1/4) hours as free time for the completion of loading and unloading. A charge of \$4.65 for each fifteen (15) minutes (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 above.

NOTE 8.--When transportation is performed under the provisions of this item, the following rules will not apply:

- Item 160 - Demurrage or Detention Charges
- Item 210 - Issuance of Shipping Documents
- Item 190 - Minimum Charge, except when transported subject to Item 400 pursuant to provisions of Note 4.
- Item 290 - Vapor Recovery and/or Bottom Loading Equipment.

NOTE 9.--Transportation charges shall be assessed by computing mileage from point of origin to point of destination which shall be determined in accordance with the method provided in the governing distance table (see Item 150).

NOTE 10.--Transportation charges shall be assessed upon units of carrying capacity as follows:

Commodities (As described in Item 30) Rate Group	Minimum Gallons Per Unit of Carrier's Equipment
A	9,000
B	8,750
C	7,950

NOTE 11.--Rates provided in this item are subject to a minimum charge of \$6,755.00 per 30 day tender. Minimum charge shall be exclusive of any accessorial service charges which may be assessed.

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Change)
Reduction) Decision No. **91215**

EFFECTIVE FEBRUARY 1, 1980

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