

EAB/FS

ORIGINAL

Decision No. 91261 JAN 15 1980

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.)

And Related Matter.)

Case No. 5436
 Petition for Modification
 No. 281
 (Filed March 7, 1979)
 (Amended December 20, 1979)

Case No. 6008
 Petition for Modification
 No. 39
 (Filed March 7, 1979)
 (Amended December 20, 1979)

SIXTH INTERIM OPINION AND ORDER

In Decision No. 90354, which will eliminate Minimum Rate Tariffs 6-B and 13, the Commission indicated that rate levels in those tariffs would not be further adjusted except in the event that "exceptional need" arises. The recent escalation in fuel costs caused by the nationwide energy shortage has created such an exceptional need.

Decision No. 91258, entered today in Case No. 5432 (Petition 1042), et al., and Cases Nos. 5436 (Petition 281) and 6008 (Petition 39) provided that Minimum Rate Tariffs 6-B and 13 should be made subject to additional cost offset increases and that amendment of the tariffs by surcharge supplements should be accomplished by separate order.

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 2, 1980, Supplement 16, attached hereto and by this reference made a part hereof.

2. Minimum Rate Tariff 13 (Appendix B to Decision No. 55584, as amended) is further amended by incorporating therein, to become effective February 2, 1980, Supplement 11, attached hereto and by this reference made a part hereof.

3. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decisions Nos. 82350 and 55584, as amended, are directed to establish in their tariffs the increases necessary to conform with the further adjustments ordered by this decision.

4. Common carriers maintaining rates on a level other than the minimum rates for transportation for which rates are prescribed in Minimum Rate Tariffs 6-B and 13 are authorized to increase such rates by the same amounts authorized by this decision for the respective tariff rates.

5. Common carriers maintaining rates on the same level as Minimum Rate Tariffs 6-B and 13 rates for the transportation of commodities and/or for transportation not subject to these tariffs are authorized to increase such rates by the same amounts authorized by this decision for the respective tariff rates.

6. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariffs 6-B and 13 are authorized to increase such rates by the same amounts authorized by this decision for the respective tariff rates.

7. 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 supplements attached hereto on not less than five days' notice to the Commission and to the public; as to tariff publications as are authorized, but not required, the authority shall expire unless exercised within sixty days after the effective date of this order.

8. 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.

9. Common carriers are authorized to depart from the Commission's tariff circular requirements only to the extent necessary in establishing the surcharge supplements authorized by this order.

10. In all other respects, Decisions Nos. 82350 and 55584, as amended, shall remain in full force and effect.

11. 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 Tariffs 6-B and 13.

12. The Executive Director shall serve a copy of the tariff amendments on each subscriber to Minimum Rate Tariffs 6-B and 13.

The effective date of this order is the date hereof.

Dated JAN 15 1980, at San Francisco, California.

I abstain.

JOHN E. BRVSON, Commissioner

President

Young L. Sturgeon

Robert D. Swartz

Clare J. DeFries

Thomas W. [unclear]

Commissioners

SURCHARGE SUPPLEMENT

PROVISIONS OF CONTRACT

SUPPLEMENT 16

(Cancels Supplement 15)

(Supplement 16 Contains All Changes)

MINIMUM RATES AND RULES

FOR THE

TRANSPORTATION OF

PETROLEUM AND PETROLEUM PRODUCTS

(AS DESCRIBED HEREIN)

WHEN TRANSPORTED IN BULK IN TANK TRUCKS,

TANK TRAILERS, OR TANK SEMITRAILERS

OVER THE PUBLIC HIGHWAYS, WITHIN

THE STATE OF CALIFORNIA,

BY

PETROLEUM CONTRACT CARRIERS,

MINIMUM RATES AND RULES...

END

18811

FOR FILING

DATE OF FILING

RECEIVED

Decision No.

91261

EFFECTIVE

2/2/80

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with rates and rules in this tariff and increase the amount so computed as follows:

01. By thirteen (13) percent on charges computed at rates set forth in Items 250, 400, 510 (Note 20, only), 515, 520 (Note 20, only), 523, 525 (Except Note 9), 526, 527 (Except Note 14), 528, 529 and 529.1.
2. By thirteen and one-half (13½) percent on charges computed at rates set forth in Items 410 and 420.
03. By eight (8) percent on charges computed at rates set forth in items specified below:
 - (a) Item 160;
 - (b) Item 170, Paragraph 3 (a);
 - (c) Item 220, Note 1;
 - (d) Item 240, Paragraph 1 and 2; Note 1;
 - (e) Item 260, Paragraph 1 (a); Note 4;
 - (f) Item 280, Paragraph 3;
 - (g) Item 500, Paragraph 3(b); Note 5(a) (per hour charge); Note 11; Note 15;
 - (h) Item 505, Paragraph 3(b); Note 5(a) (per hour charge); Note 11;
 - (i) Item 510, Paragraph 3(c); Note 7; Note 11; Note 15;
 - (j) Item 520, Paragraph 3(c); Note 7; Note 11; Note 15.
4. By ten and one-half (10½) cents per rule for mileage rates and charges in:
 - (a) Item 170, Paragraph 3(b);
 - (b) Item 500, Paragraph 3(c);
 - (c) Item 500, Note 5(a);
 - (d) Item 500, Note 5(b);
 - (e) Item 505, Paragraph 3(c);
 - (f) Item 505, Note 5(a);
 - (g) Item 505, Note 5(b);
 - (h) Item 510, Paragraph 3(d);
 - (i) Item 510, Note 19(c);
 - (j) Item 520, Paragraph 3(d);
 - (k) Item 525, Note 9;
 - (l) Item 527, Note 14.

For purpose of disposing of fractions under provisions hereof, fractions of less than one-half (½) cent shall be dropped and fractions of one-half (½) cent or greater shall be increased to the next higher whole cent.

THE END

- o Change)
- + Addition)
- o Increase, except as noted)
- o No Change)

Decision No.

91261

12312

SURCHARGE SUPPLEMENT

SUPPLEMENT 11

(Cancels Supplement 10)

(Supplement 11 Contains All Changes)

TO
MINIMUM RATE TARIFF 13

NAMING
MINIMUM RATES AND RULES

FOR THE
TRANSPORTATION BY VACUUM-TYPE TANK
VEHICLES AND BY PUMP-TYPE TANK
VEHICLES OF PROPERTY OVER THE PUBLIC
HIGHWAYS WITHIN THE STATE OF
CALIFORNIA

BY
RADIAL HIGHWAY COMMON CARRIERS
HIGHWAY CONTRACT CARRIERS
AND
PETROLEUM CONTRACT CARRIERS

Decision No.

91261

10510

EFFECTIVE

7/2/80

Issued by the
PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
State Building, Civic Center
San Francisco, California 94102

APPLICATION OF SURCHARGE

Except as otherwise provided, compute the amount of charges in accordance with the rates and rules in this tariff, and increase the resulting total amount by five and one-half (5½) percent. (See Exception)

For purposes of disposing of fractions under provisions hereof, fractions of less than one-half (½) cent shall be dropped and fractions of one-half (½) cent or greater shall be increased to the next higher whole cent.

EXCEPTION: The surcharge herein shall not apply to:

1. Item 60 - Accessorial charges;
2. Item 122 - Collect on Delivery (C.O.D.) Shipments;
3. Item 360 - Helper Rates.

THE END

Increase Decision No.

91261

12332