

Decision 89 03 041

MAR 2 2 1989

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Carnaco Transport, Inc. and Yolo )  
Transport Co., Inc. for authority to )  
depart from provisions of General )  
Order 155 concerning the retention )  
of records. )

Application 88-11-023  
(Filed November 14, 1988)

**Mailed**

**MAR 2 2 1989**

O P I N I O N

Carnaco Transport, Inc. (Carnaco) and Yolo Transport Co., Inc. (Yolo) (applicants) are for-hire carriers conducting operations in California in accordance with various operating authorities issued by this Commission. Both applicants are wholly owned subsidiaries of Carnation Company. Their mailing address is 1327 Wall Street, Oconomowoc, Wisconsin 53066. Articles of Incorporation for Carnaco and Yolo are on file with the Commission in File Nos. T-158567 and T-43220, respectively.

Applicants are requesting authority to disregard the text of the first sentence of Rule 7.1 of General Order (GO) 155, which requires carriers who maintain an office or place of business in California to retain therein all transportation records for a period of three years from the date the transportation was performed. The second sentence in Rule 7.1 provides that carriers who do not have an office or place of business in California must make transportation records available for Commission inspection and review when requested.

Carnaco is a large multi-state motor carrier, operating in both interstate and intrastate commerce. It maintains all transportation records at its Wisconsin headquarters for convenience. The headquarters office does all billing and collection for the entire system, as well as handling payroll and personnel records. The central location of records is more

efficient than disbursing them through Carnaco's many local offices. Carnaco will transport the necessary records to California for review by Commission representatives, upon request.

The filing of the application was noted in the Commission's Daily Calendar on November 17, 1988. No protests or requests for hearing have been received. The Transportation Division has recommended that the application be granted, provided applicants make the records available when requested.

Findings of Fact

1. Applicants have applied for authority to store records on California transportation in Oconomowoc, Wisconsin, the headquarters of their parent company.

2. Applicants are willing to send the records to California for review by the Commission staff, whenever requested to do so by the latter.

Conclusions of Law

1. Applicants should be excused from complying with the part of Rule 7.1 of GO 155, which provides that all records regarding California transportation must be maintained in California for three years from the date of the transportation.

2. The application is granted as set forth below.

ORDER

IT IS ORDERED that:

1. Carnaco Transport, Inc. and Yolo Transport Co., Inc. (applicants) are authorized to maintain all records regarding transportation they have performed in California at the headquarters of their parent company in Oconomowoc, Wisconsin.

2. Applicants will make physically available at their place of business in California any and all documents and records referred to in GO 155, Rule 7.1, within 10 working days of written or oral request by any member of the Commission staff.

3. In the event documents requested by the staff in the above manner are not made physically available within the 10-working-day period, applicant will make arrangements to transport duly authorized Commission staff to the location of the documents and records of interest, at no expense to the State of California or to the Commission.

This order is effective today.

Dated MAR 22 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
Commissioners

Commissioner Patricia Eckert,  
present but not participating

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY



Victor Weisser, Executive Director

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