

MAY 23 1990

Decision 90-05-076 May 22, 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Frank C. Alegre Trucking, Inc. to cancel rates and rules in its Tariff No. 1 for the transportation of Portland Cement, and related products pursuant to General Order 150 series and related Commission decisions.

ORIGINAL Application 90-01-054 (Filed January 26, 1990)

ORDER OF DISMISSAL

Frank C. Alegre Trucking, Inc. (Alegre) seeks authority to cancel Item 250 of its Tariff No. 1. The application alleges that Item 250 was filed to meet the rates set forth in Rate Reduction-1305.

Authority to cancel Item 250 of Alegre's tariff is not necessary. Alegre need only file a revised tariff page cancelling the particular item. Furthermore Alegre has already been ordered, by Ordering Paragraph 3 of Decision 90-02-041, to cancel the item for which it here seeks authority to cancel.

No authority being necessary to cancel the item which is the subject of this application;

IT IS ORDERED that Application 90-01-054 is dismissed. This order becomes effective 30 days from today. Dated May 22, 1990, at San Francisco, California.

G. MITCHELL WILK President STANLEY W. HULETT JOHN B. OHANIAN PATRICIA M. ECKERT Commissioners

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

Commissioner Frederick R. Duda, being necessarily absent, did not participate.

Signature of Neal J. Shulman NEAL J. SHULMAN, Executive Director