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Decision 90 05 093 MAY 22 1990

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MAY 22 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of United Parcel Service, Inc.
for authority to increase certain
of its rates for common carrier
parcel delivery service

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)
) Application No. 89-12-017
) (Filed December 12, 1989)
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)
)

ORDER DENYING APPLICATION FOR REHEARING AND MOTION TO STRIKE

An Application for Rehearing of Decision 90-01-061 was filed by Cal Pak Delivery, Inc. This Application for Rehearing pointed out that the Commission in issuing Decision 90-01-061 stated that no protest had been received by the Commission in response to United Parcel Service Inc.'s Application for a Rate Increase (Application No. 89-12-017). In fact the Application for Rehearing correctly points out that Cal Pak Delivery Inc. had filed a Protest on January 23, 1990. This Protest was not placed in the formal file in a timely fashion and therefore was not reviewed by the Commission before Decision 90-01-061 was issued. In response to Cal Pak Delivery, Inc.'s January 23, 1990 Protest, United Parcel Service Inc. filed a Motion to Strike the Protest.

The Commission has considered the matters raised in Cal Pak Delivery Inc.'s Protest and determined that they are to some degree relevant to the matter at hand and therefore United Parcel Service, Inc.'s Motion to Strike should be denied. However, a full consideration of the matters presented in the Protest do not convince the Commission that it should alter its Decision issued January 30, 1990 (D.90-01-061).

IT IS ORDERED that:

Good cause not appearing United Parcel Service Inc.'s
Motion to Strike the Protest and Cal Pak Delivery Inc.'s
Application for Rehearing are hereby denied.

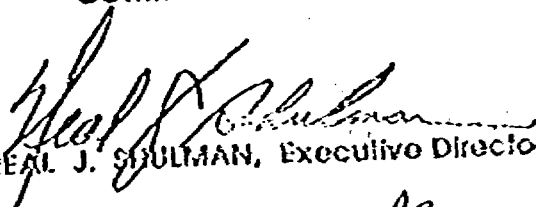
This order is effective today.

Dated MAY 22 1990 at San Francisco,
California.

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

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

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


NEAL J. SCHULMAN, Executive Director

JB