

Decision 92 04 035 APR 15 1992

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Al Thomas Trucking, Inc., for approval of Special Contract, as amended, with Georgia-Pacific Corporation, and the protests thereto by Truckload Motor Tariff Bureau, Inc.)	
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)	
)	Application 91-10-051
)	(Filed October 24, 1991)
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)	

ORDER OF DISMISSAL

On September 4, 1991, Al Thomas Trucking, Inc. (Thomas) entered into a contract with Georgia-Pacific Corporation to transport freight. On September 16, 1991, Thomas submitted the contract to the Commission's Tariff File Room for filing. That contract was filed by the Tariff File Room as a "special contract" pursuant to the Commission's General Order 147-C. Notice of the filing of Thomas' special contract appeared in the Daily Transportation Calendar on September 18, 1991. On October 3, 1991, Thomas filed an amendment to page 4 of the special contract. Notice of the amendment's filing appeared in the Daily Transportation Calendar on October 7, 1991.

On October 7, 1991, the Truckload Motor Tariff Bureau, Inc. (TMTB) filed a protest to the special contract. A protest to the amendment of page 4 of the special contract was filed by TMTB on October 24, 1991.

Because the Commission did not suspend the effective date of the special contract and the amendment to page 4 of the special contract, both filings remain in effect.

In the Administrative Law Judge's (ALJ) Ruling of November 26, 1991, it was explained that the assignment of Application (A.) 91-10-051 to the special contract and the amendment was the procedural device used to process TMTB's protests, and that the matters at issue involved the special

contract, the amendment, and TMTB's protests to those two filings. That same Ruling scheduled a prehearing conference for December 16, 1991.

After the Ruling was issued, Thomas and TMTB agreed to remove the matter from the Commission's calendar so as to pursue possible alternative resolutions of the dispute. The assigned ALJ agreed to take the prehearing conference off calendar.

In a letter to the assigned ALJ dated March 11, 1992, TMTB's attorney stated that it was withdrawing its protest to the special contract filed by Thomas. Thomas agreed to the withdrawal of TMTB's protests in a letter dated March 18, 1992.

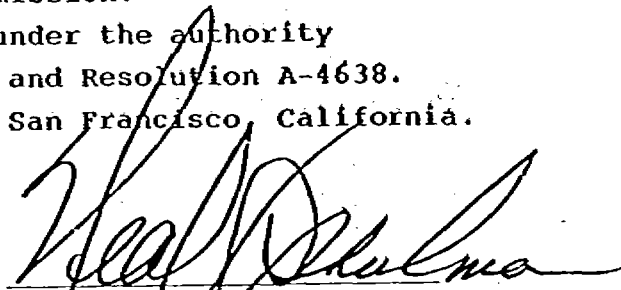
Upon written request of the protestant to withdraw its protest to A.91-10-051, and upon the agreement of applicant Thomas to the withdrawal of the protest,

IT IS ORDERED that:

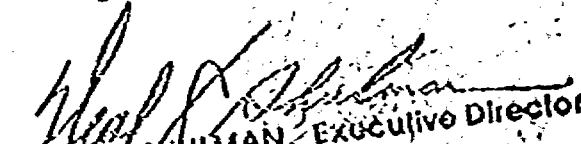
1. The protests to A.91-10-051 are withdrawn, and A.91-10-051 is dismissed, effective today, because there are no longer any issues pending before the Commission.

2. This application is dismissed under the authority contained in Public Utilities Code § 308 and Resolution A-4638.

Dated APR 15 1992, at San Francisco, California.


NEAL J. SHULMAN
Executive Director

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


NEAL J. SHULMAN, Executive Director
93