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Decision 97-08-042 August 1, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of R. S. Greitz,)
 President, Western Traffic)
 Services, Inc. on behalf of)
 Con-Way Western Express, Inc.,)
 requesting authorization of)
 departure from General Order)
 Nos. 139, 148 and 155 to permit)
 the electronic transmission)
 of Bills of Lading and other)
 electronic media of records)
 and records retention.)

Application 91-12-019
(Filed December 12, 1991)

ORIGINAL

ORDER TERMINATING PROCEEDING

The Commission issued interim Decision (D.) 92-03-069 in this proceeding which authorized Con-Way Western Express, Inc. (Con-Way) to depart from certain provisions of General Orders 139, 148, and 155-A. Specifically, Con-Way was authorized to implement a system for electronic transmission of Bills of Lading, freight bills, and funds, and for optical storage of images of documents.

The authorization was granted on a trial basis and the proceeding remained open to monitor the functioning of electronic transfer of data.

Since the issuance of D.92-03-069, the United States Congress has enacted Public Law (PL) 103-305 which preempted state economic regulation of the trucking industry.

Because the information about bill of lading and freight bills involves regulation of transportation of property by trucks, enactment of PL 103-305 has rendered the need for Commission resolution of the issues posed in this proceeding moot. Accordingly, we will terminate this proceeding.

IT IS ORDERED that Application 91-12-019 is closed.
This order is effective today.

Dated August 1, 1997, at San Francisco, California.

P. GREGORY CONLON
President
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
Commissioners