

ORIGINAL

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EX-8

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations, rates, and practices of HYDRA TRUCKING, INC. a California corporation, and Discovery Distribution Systems, Inc., a Wisconsin corporation and James River Corporation of Nevada, a Nevada corporation, as Shipper Respondents,

Respondents.

PUBLIC UTILITIES COMMISSION

JAN 24 1990

SAN FRANCISCO OFFICE
NO. 90 01 032

ORIGINAL

ORDER INSTITUTING INVESTIGATION

Hydra Trucking, Inc., (Respondent Carrier) (Hydra) whose mailing address is 7728 Wilbur Way B, Sacramento, California 95828, is engaged in the business of transporting property over the public highways of this state for compensation. Hydra operates pursuant to a highway contract carrier permit issued by this Commission on April 19, 1982.

The following respondents, hereinafter referred to as "respondent shippers", have received services from respondent Hydra Trucking, Inc. in the form of transportation of property over the public highways of this state for compensation, and as such are shippers of property:

RESPONDENT SHIPPER

Francis O. Dodd, President
Discovery Distribution Systems, Inc.
1400 Churchill Downs
Woodland, CA 95695

James River Corporation of Nevada
c/o Corporate Tax Services
P.O. Box 2218
Richmond, VA 23217

PROCESS AGENT

John Degrou, Process Agent
Discovery Distribution
Systems, Inc.
1400 Churchill Downs
Woodland, CA 95695

James River Corp. of Nevada
c/o C. T. Corporation System
818 West Seventh St Ste 1004
Los Angeles, CA 90017

The scope of this investigation includes, but is not limited to, transportation performed by respondent Hydra as

represented by the freight invoices identified in Attachments A and B (respondent shippers), and all supporting documents.

It appears that respondent Hydra may have provided the respondent shippers with transportation services over the public highways of this state for compensation at rates less than the applicable rates; and

It further appearing, after Commission staff review of relevant documents and records, that the above named carrier may have violated Sections 3667 and 3737 of the Public Utilities Code.

Good cause appearing; therefore,

IT IS ORDERED that an investigation on the Commission's own motion is hereby instituted into the operations, rates, charges, and practices of respondent Hydra and the respondent shippers for the purpose of determining:

1. Whether respondent Hydra has violated Section 3737 of the Public Utilities Code by performing transportation services for the respondent shippers without having a contract on file and in effect with the Commission as required by Rule 6.1 of General Order 147-A.
2. Whether respondent Hydra has violated Section 3737 of the public Utilities Code by failing to issue a freight bill for each shipment containing all of the information required by Item 255 of Transition Tariff No. 2.
3. Whether respondent Hydra has violated Sections 3667 and 737 of the Public Utilities Code, or any of those sections, by failing to charge respondent shippers the applicable rates.
4. Whether in addition to the transportation records listed in Attachments A and B, respondent Hydra should be ordered to review its records for the period August 1, 1988 to and including December 31, 1988 for the purpose of ascertaining the amount of undercharges on shipments of paper products transported during said period.
5. Whether in the event that sums less than the applicable rates are found to have been charged, collected or received, during the period February 1987, July 1, 1988 to and including December 31, 1988, fine in the amount of the undercharges should

be imposed upon respondent Hydra pursuant to Section 3800 of the Public Utilities Code;

6. Whether respondent Hydra should be ordered to collect from the respondent shippers the difference between payments actually received and the applicable rates and charges pursuant to Section 3800 of the Public Utilities Code;

7. Whether any or all of respondent Hydra's operating authority should be cancelled, revoked; or suspended, or in the alternative, a fine of up to \$ 20,000.00 for each offense be imposed pursuant to Sections 3774 and 3805 of the Public Utilities Code. Section 3805 of the Public Utilities Code provides that in case of a continuing violation, each day's continuance is a separate and distinct offense.

8. Whether respondent Hydra should be ordered to cease and resist from any and all unlawful operations and practices.

9. Whether any other orders that may be appropriate should be entered in the lawful exercise of the Commission's jurisdiction.

A public hearing in this matter shall be held before an Administrative Law Judge of the Commission at a time and place to be determined, at which time and place all interested parties may appear and be heard.

The Executive Director is directed to cause a certified copy of this order to be served by mail on all respondents, shippers, and Hydra Trucking, Inc. The Executive Director is also directed to cause a certified copy of this order to be served personally forthwith on respondent Hydra Trucking, Inc.

This order is effective today.

Dated January 24, 1990 at San Francisco, California.

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

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

Wesley Franklin
WESLEY FRANKLIN, Acting Executive Director

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HYDRA TRUCKING, INC.
Sacramento

T-137,675

DEBTOR: DISCOVERY DISTRIBUTION SYSTEMS, INC.
Woodland, California

Manifest No.	Date
002	2-13-87
008	2-13-87
014	2-14-87
015	2-14-87
016	2-14-87
020	2-14-87
021	2-14-87
026	2-14-87
028	2-15-87
029	2-15-87
032	2-16-87
033	2-16-87
036	2-14-87
040	2-14-87
041	2-14-87
043	2-14-87
046	2-14-87
050	2-14-87
052	2-14-87
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061	2-14-87
059	2-14-87
063	2-14-87
064	2-14-87
070	2-15-87
072	2-15-87
074	2-15-87

Attachment A

Manifest No.	Date
077	2-15-87
085	2-15-87
089	2-15-87
090	2-15-87
092	2-15-87
093	2-15-87
095	2-15-87
097	2-15-87
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144	2-20-87
147	2-20-87
145	2-20-87
148	2-20-87
154	2-20-87
157	2-20-87
163	2-20-87

END OF APPENDIX A

Attachment B

HYDRA TRUCKING, INC.
SacramentoDEBTOR: JAMES RIVER CORPORATION
Woodland, California

Freight Bill No.	Date
67655	7-1-88
67657	7-1-88
67659	7-1-88
67665	7-5-88
67670	7-5-88
67671	7-5-88
67675	7-6-88
67679	7-5-88
67703	7-7-88
67696	7-7-88
67701	7-7-88
67710	7-8-88
67729	7-11-88
67730	7-11-88
67731	7-8-88
67732	7-8-88
67735	7-12-88
67736	7-12-88
67737	7-12-88
67739	7-12-88
67747	7-13-88
6775	7-14-88
67754	7-14-88
67755	7-14-88
67756	7-14-88
67770	7-15-88
67765	7-15-88
67766	7-15-88
67768	7-15-88
67773	7-15-88
67774	7-15-88
67775	7-15-88
67783	7-15-88
67785	7-16-88
67800	7-16-88

Attachment B

Freight Bill No.	Date
678	7-15-88
67787	7-18-88
67809	7-18-88
67788	7-18-88
67789	7-18-88
67796	7-18-88
67797	7-18-88
67798	7-18-88
67799	7-18-88
67867	7-18-88
67814	7-19-88
67818	7-19-88
67820	7-19-88
67821	7-19-88
67824	7-19-88
67825	7-19-88
67830	7-19-88
67851	7-20-88
67853	7-19-88
67854	7-20-88
67858	7-20-88
67865	7-20-88
67873	7-20-88
67875	7-20-88
67853	7-20-88
67887	7-21-88
67897	7-21-88
67898	7-21-88
67921	7-21-88
65727	7-22-88
65728	7-22-88
67950	7-22-88
67955	7-22-88
67965	7-22-88
67967	7-22-88
67980	7-22-88
67995	7-25-88
67996	7-25-88
67997	7-25-88
67998	7-25-88

Attachment B

Freight Bill No.	Date
67999	7-25-88
68003	7-25-88
68006	7-25-88
68009	7-25-88
68011	7-25-88
68014	7-24-88
68026	7-27-88
68027	7-27-88
68041	7-28-88
68054	7-29-88

END OF APPENDIX B