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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED
PUBLIC UTILITIES COMMISSION

Investigation on the Commission's own motion into the operations, rates, and practices of KLX, Inc. a California corporation, and Western Commerce Corporation, Siskiyou Forest Products and J. H. Blevins Co., California corporations, as Shipper Respondents, Respondents.

FEB 7 1990

SAN FRANCISCO OFFICE
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ORDER INSTITUTING INVESTIGATION

KLX, Inc. (Respondent Carrier) (KLX) whose mailing address is P.O. Box 4438, Visalia, California 93278, is engaged in the business of transporting property over the public highways of this state for compensation. KLX operates pursuant to a highway common carrier certificate issued August 7, 1984, a highway contract carrier permit issued May 9, 1984 and an agricultural carrier permit issued July 25, 1986.

The following respondents, hereinafter referred to as "respondent shippers", have received services from respondent KLX 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

Roland Vom Dorp, Process Agent
Western Commerce Corporation
636 Turnbull Canyon Road
Industry, CA 91744

Deanna C. Scott, Process Agent
Siskiyou Forest Products
22 North Road 101
Woodland, CA 95695

RESPONDENT SHIPPER

J. H. Blevins Co.
P.O. Box 442
Napa, CA 94558

PROCESS AGENT

Wyman C. Smith, Esq.
944 Main St.
Napa, CA 94559

It appears that respondent KLX 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 appears, after Commission staff review of relevant documents and records, that the above named carrier may have violated Section 494 of the Public Utilities Code. On April 6, 1989, an undercharge citation and a citation forfeiture, with fines of \$ 8,963.10 and \$ 1,500.00 respectively, were served on the respondent carrier. The citations were denied.

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 KLX and the respondent shippers for the purpose of determining:

1. Whether respondent KLX has violated Section 494 of the Public Utilities Code by failing to charge respondent shippers the applicable rates.

2. Whether in addition to the transportation records listed in Attachments A, B, and C, respondent KLX should be ordered to review its records for the period November 1, 1987 to and including April 30, 1988 for the purpose of ascertaining the amount of undercharges on shipments of honey and lumber transported during said period.

3. Whether in the event that sums less than the applicable rates are found to have been charged, collected or received, during the period June 1, 1987 to and including April 30, 1988, a fine in the amount of the undercharges should be imposed upon respondent KLX pursuant to Section 2100 of the Public Utilities Code;

4. Whether respondent KLX should be ordered to collect from the respondent shippers the difference between payments actually received and the applicable rates and charges pursuant to Section 2100 of the Public Utilities Code;

5. Whether any or all of respondent KLX's operating authority should be cancelled, revoked, or suspended, or in the

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alternative, a fine imposed pursuant to Section 1070 of the Public Utilities Code.

6. Whether respondent KLX should be ordered to cease and desist from any and all unlawful operations and practices.

7. 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 KLX, Inc. The Executive Director is also directed to cause a certified copy of this order to be served personally forthwith on respondent KLX, Inc.

This order is effective today.

Dated FEB 7 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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Attachment A

KLX, INC.
Visalia

T-144,182

DEBTOR: WESTERN COMMERCE CORPORATION
Industry, California

Freight Bill No.	Date
1149	8-24-87
1191	8-28-87
1192	8-28-87
1756	9-30-87
1771	10-01-87
17961	8-12-87
17962	8-13-87
17975	8-11-87
17977	8-12-87
17660	7-28-87
1037	8-20-87
1331	9-07-87
16452	6-24-87
16015	6-04-87
1224	8-31-87
16205	6-16-87
15988	6-03-87

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Attachment B

KLX, INC.
Visalia

T-144,182

DEBTOR: SISKIYOU FOREST PRODUCTS
Woodland, California

Freight Bill No.	Date
16441	6-25-87
16441	6-25-87
16441	6-25-87

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Attachment C

KLX, INC.
Visalia

T-144,182

DEBTOR: J. H. BLEVINS CO.
Napa, California

Freight Bill No. Date

19782	6-23-87
19782	6-23-87
19782	6-23-87