

ORIGINAL

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EX-3

L/IRA:ddb

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
PUBLIC UTILITIES COMMISSION

FILED

JUN 20 1990

SAN FRANCISCO OFFICE

NO. I 90 06 035

Investigation on the Commission's own motion into the operations, rates, and practices of Sloneker, Inc., a California corporation, and Angeles Metal Trim Co., Inc., a California corporation, as Shipper Respondent,

Respondents.

ORIGINAL

ORDER INSTITUTING INVESTIGATION

Sloneker, Inc., (Respondent Carrier) (Sloneker) whose mailing address is 213 Faren Dr., Pacheco, California 94553, is engaged in the business of transporting property over the public highways of this state for compensation. Sloneker operates pursuant to a highway contract carrier permit issued January 22, 1979.

The following respondent, hereinafter referred to as "respondent shipper" has received services from respondent Sloneker in the form of transportation of property over the public highways of this state for compensation, and as such is a shipper of property:

RESPONDENT SHIPPER

D. K. Cable, Process Agent
Angeles Metal Trim Co., Inc.
4817 E. Sheila St.
Los Angeles, CA 90040

It appears that respondent Sloneker may have provided the respondent shipper 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 Sections 3667 and 3737 of the Public Utilities Code. On October 3, 1988, an undercharge citation and a citation

forfeiture, with fines of \$14,663.49 and \$750.00 respectively, were served on the respondent carrier. After further review the undercharge fine was reduced to \$13,744.17. The citation forfeiture fine has been paid. However, the carrier has failed to respond to the undercharge citation.

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 Sloneker and the respondent shipper for the purpose of determining:

1. Whether respondent Sloneker has violated Sections 3667 and 3737 of the Public Utilities Code, or any of those sections, by failing to charge respondent shipper the applicable rates.
2. Whether in addition to the transportation records listed in Attachment A, respondent Sloneker should be ordered to review its records for the period August 1, 1987 to and including October 31, 1987 for the purpose of ascertaining the amount of undercharges on shipments of galvanized steel sheets and steel studding 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 August 1, 1987 to and including January 31, 1988, a fine in the amount of the undercharges should be imposed upon respondent Sloneker pursuant to Section 3800 of the Public Utilities Code;
4. Whether respondent Sloneker should be ordered to collect from the respondent shipper the difference between payments actually received and the applicable rates and charges pursuant to Section 3800 of the Public Utilities Code;
5. Whether any or all of respondent Sloneker's operating authority should be cancelled, revoked or suspended, or in the alternative, a fine imposed pursuant to Section 3774 of the Public Utilities Code.
6. Whether respondent Sloneker 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, shipper and Sloneker, Inc. The Executive Director is also directed to cause a certified copy of this order to be served personally forthwith on respondent Sloneker, Inc.

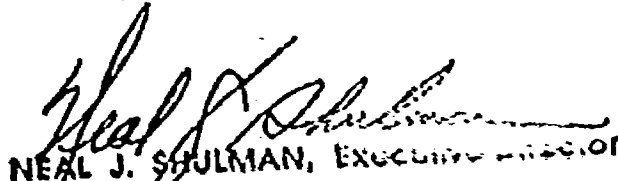
This order is effective today.

Dated June 20, 1990 at San Francisco, California.

FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

President G. Mitchell Wilk,
be necessarily absent, did
not participate.

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


NEAL J. SHULMAN, Executive Director

PS

Attachment A

SLONEKER, INC.
Pacheco

T-125,911

DEBTOR: ANGELES METAL TRIM CO., INC.
Los Angeles, California

Part No.	Freight Bill No.	Date
1	3085	11-24-87
2	4413	11-24-87
3	4416	11-30-87
4	4464	11-30-87
5	4481	12-17-87
6	4370	1-04-88
7	4412	11-23-87
8	4415	11-25-87
9	4472	12-08-87
10	4474	12-10-87
11	4477	12-14-87
12	4365	12-14-87
13	4367	12-15-87
14	4369	12-21-87
15	4375	1-11-88
16	4377	1-14-88
17	4436	1-13-88
18	4048	1-20-88
19	4440	1-20-88
20	2849	11-09-87
21	4411	11-21-87
22	4433	1-08-88
23	3095	1-14-88
24	4491	1-19-88
25	4439	1-19-88
26	4467	12-09-87
27	4468	12-02-87
28	8452	1-27-88
29	4428	12-29-87

(END OF ATTACHMENT A)