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ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the operations, rates,
and practices of MURPHY TRUCK AND
EQUIPMENT RENTALS, INC., a California
Corporation,

Respondent.

FILED
PUBLIC UTILITIES COMMISSION
FEBRUARY 5, 1992
SAN FRANCISCO OFFICE
I.92-02-003

ORDER INSTITUTING INVESTIGATION

MURPHY TRUCK AND EQUIPMENT RENTALS, INC. (Respondent) (MURPHY) whose mailing address is P.O. Box 415, Cucamonga, California 91730, is engaged in the business of transporting property over the public highways of this state for compensation.

It appears that MURPHY may have engaged subhaulers without first having a valid subhauler bond on file with the Commission. General Order 102-H, Rule 7 and Public Utilities Code (Code) Section 3575 require a bond before subhauler can be used.

It further appears that MURPHY may have failed to make timely payments to subhaulers as prescribed in Item 210 of Minimum Rate Tariff 7-A (MRT 7-A). MURPHY may have violated Section 3737 of the Code which states that a carrier shall observe any tariff, decision or order applicable to it.

Good cause appearing; therefore,

IT IS ORDERED that an investigation on the Commission's own motion is instituted into the operations and practices of MURPHY TRUCK AND EQUIPMENT RENTALS, INC. (MURPHY) for the purpose of determining:

1. Whether respondent MURPHY has violated General Order 102-H, Rule 7, and Public Utilities Code Section 3575, by engaging subhaulers without first having on file with the Commission a valid subhaul bond.

2. Whether respondent MURPHY has violated General Order 102-H, Rule 5, and Section 210 of Minimum Rate Tariff 7-A, by not paying the subhaulers within the time prescribed.

3. Whether respondent MURPHY has violated Section 3737 of the Public Utilities Code by not following the Commission's rules and regulations as set forth in its General Orders, Code and Minimum Rate Tariff 7-A.

4. Whether any or all of respondent carrier's operating authority should be cancelled, revoked, or suspended, or in the alternative, a fine be imposed pursuant to Section 3774 and 3805 of the Public Utilities Code.

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

6. 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 personally on respondent MURPHY TRUCK AND EQUIPMENT RENTALS, INC.

This order is effective today.

Dated February 5, 1992, at San Francisco, California.

DANIEL Wm. FESSLER
President
JOHN B. OHANIAN
PATRICIA M. ECKERT
NORMAN D. SHUMWAY
Commissioners

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

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NEAL J. SHULMAN, Executive Director
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