

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1000
Transportation Division
June 6, 1990

R E S O L U T I O N

RESOLUTION NO. OCR-1000 ORDER CANCELLING COMMON CARRIER TARIFFS, COMMON CARRIER CONTRACTS, AND SPECIAL CONTRACTS WHICH HAVE BEEN TEMPORARILY SUSPENDED FOR VIOLATIONS OF D.90-02-021

The common carrier tariffs, common carrier contracts and special contracts listed below violate Commission Decision (D.) 90-02-021 and have been suspended. These rate filings have not been amended or corrected and will go into effect at the end of the suspension period, unless the Commission orders these rate filings to be cancelled.

Rate Cancelling
Order

Rate Filing By:

OCR No. 1	Wade Transportation Company, Inc. T-145,338 Common Carrier Contract T-145,338-1
OCR No. 2	Joe Massolo & Sons Trucking Co., Inc. T-150,442 Special Contract T-150,442-8
OCR No. 3	Delta Cities Express T-133,930 Special Contract T-133,930-3
OCR No. 4	Con-Way Western Express, Inc. T-140,218 Special Contract T-140,218-1364
OCR No. 5	Fleet Service Corp. T-119,856 Common Carrier Contract T-119,856-1
OCR No. 6	Fleet Service Corp. T-119,856 Common Carrier Contract T-119,856-2

Resolution No. OCR-1000

Findings of Fact

1. The rate filings listed above violate D.90-02-021.
2. The above rate filings were suspended and will go into effect at the end of the suspension period, unless the Commission orders these rate filings cancelled.
3. This Commission meeting is the last meeting of the Commission scheduled before the above rate filings will go into effect.
4. A public hearing is not necessary.

Conclusion of Law

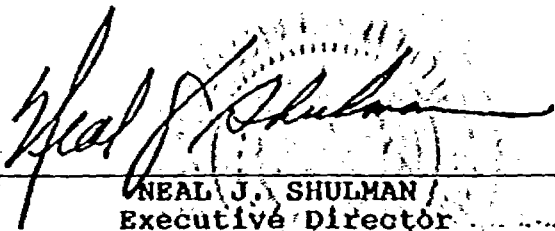
These filings should be cancelled.

IT IS ORDERED that:

1. The above rate filings are cancelled as specified in the orders cancelling rates attached.
2. The Executive Director shall serve a copy of this Resolution on the carriers listed above.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on JUN 6 1990. The following Commissioners approved it:

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


NEAL J. SHULMAN
Executive Director

Order No. OCR 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

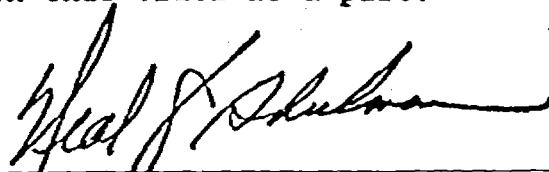
Common Carrier Contract T-145,338-1)
Wade Transportation Company, Inc.)
P. O. Box 86045 - Terminal Annex)
Los Angeles, CA 90086-0045)

Order Cancelling Rate
(Filing Numbered Same as
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-145,338-1 is ordered cancelled and will not go into effect June 10, 1990.

Common carrier contracts must cite the source of the carrier's equivalent tariff rates by tariff and item number(s). Wade Transportation Company, Inc. filed common carrier contract number T-145,338-1 with Bohemian Distributing Company, which appeared on the Commission's Transportation Calendar May 7, 1990. The contract filing was suspended on May 11, 1990 for 30 days because it does not cite the source of the carrier's equivalent tariff rates, violating Decision 90-02-021.

This order issued JUN 6 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1000 of which this order is a part.



Executive Director of the
Public Utilities Commission

Order No. OCR 2

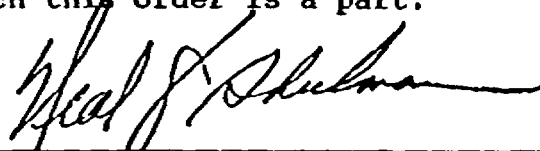
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-150,442-8 } Order Cancelling Rate
Joe Massolo & Sons Trucking Co., Inc. }
367 W. Rossi Street } (Filing Numbered Same as
Salinas, CA 93901 } Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-150,442-8 is ordered cancelled and will not go into effect June 15, 1990.

Special contracts must include evidence of substantial shipper obligation in the contract. To meet this requirement the contract must either provide for the carrier to earn a minimum of \$1,000 per month for delivered transportation services, or the contract must call for substantial shipper obligations not normally provided under common carrier tariff rates by any carrier. Many carriers have accomplished this by writing the contract in a way that makes the \$1,000 a month minimum easily calculable by multiplying the rate by the projected tonnage. Joe Massolo & Sons Trucking Co., Inc. filed special contract number T-150,442-8 with Massolo Bros., Inc., which appeared on the Commission's Transportation Calendar May 8, 1990. The contract was suspended on May 16, 1990 for 30 days because it did not include evidence of the substantial shipper obligation, required by Rule 6.14 of General Order 147-B. In addition, the contract lacks the specific termination date as required by Rule 6.3 of General Order 147-B.

This order issued JUN 6 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1000 of which this order is a part.



Executive Director of the
Public Utilities Commission..

Order No. OCR 3

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

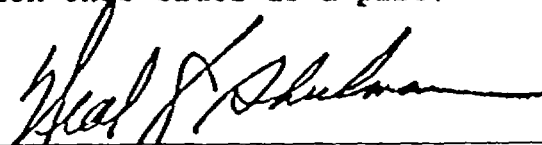
Special Contract T-133,930-3 }
Delta Cities Express }
2660 Loomis Road }
Stockton, CA 95205 }

Order Cancelling Rate
(Filing Numbered Same as
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-133,930-3 is ordered cancelled and will not go into effect June 14, 1990.

Special contracts must include evidence of substantial shipper obligation in the contract. To meet this requirement the contract must either provide for the carrier to earn a minimum of \$1,000 per month for delivered transportation services, or the contract must call for substantial shipper obligations not normally provided under common carrier tariff rates by any carrier. Many carriers have accomplished this by writing the contract in a way that makes the \$1,000 a month minimum easily calculable by multiplying the rate by the projected tonnage. Delta Cities Express filed special contract number T-133,930-3 with Easterday Supply Company, which appeared on the Commission's Transportation Calendar May 9, 1990. The contract was suspended on May 15, 1990 for 30 days because it did not include evidence of the substantial shipper obligation, required by Rule 6.14 of General Order 147-B.

This order issued JUN 6 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1000 of which this order is a part.



Executive Director of the
Public Utilities Commission

Order No. OCR 4

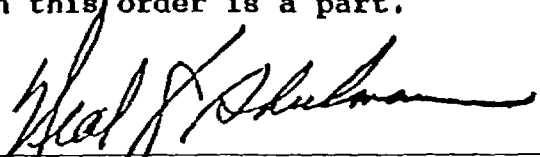
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-140,218-1364	}	Order Cancelling Rate
Con-Way Western Express, Inc.		(Filing Numbered Same as Order Number Above)
12903 Lakeland Road		
<u>Santa Fe Spring, CA 90670</u>		

In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-140,218-1364 is ordered cancelled and will not go into effect June 17, 1990.

Special contracts must include evidence of substantial shipper obligation in the contract. To meet this requirement the contract must either provide for the carrier to earn a minimum of \$1,000 per month for delivered transportation services, or the contract must call for substantial shipper obligations not normally provided under common carrier tariff rates by any carrier. Many carriers have accomplished this by writing the contract in a way that makes the \$1,000 a month minimum easily calculable by multiplying the rate by the projected tonnage. Con-Way Western Express, Inc. filed special contract number T-140,218-1364 with Track N' Trail Distribution Center, which appeared on the Commission's Transportation Calendar May 9, 1990. The contract was suspended on May 18, 1990 for 30 days because it did not include evidence of the substantial shipper obligation, required by Rule 6.14 of General Order 147-B.

This order issued JUN 6 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1000 of which this order is a part.



Executive Director of the
Public Utilities Commission

Order No. OCR 5

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

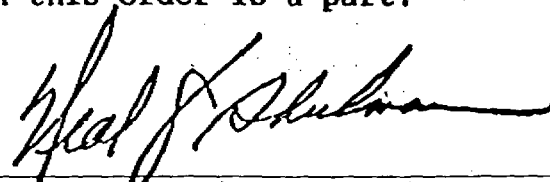
Common Carrier Contract T-119,856-1
Fleet Service Corp.
P. O. Box 4112
Whittier, CA 90607

} Order Cancelling Rate
} (Filing Numbered Same as
} Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-119,856-1 is ordered cancelled and will not go into effect June 17, 1990.

Common carrier contracts must cite the source of the carrier's equivalent tariff rates by tariff and item number(s). Fleet Service Corp. filed common carrier contract number T-119,856-1 with American Transportation Services, which appeared on the Commission's Transportation Calendar May 16, 1990. The contract filing was suspended on May 18, 1990 for 30 days because it does not cite the source of the carrier's equivalent tariff rates, violating Decision 90-02-021.

This order issued JUN 6 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1000 of which this order is a part.



Executive Director of the
Public Utilities Commission

Order No. OCR 6

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

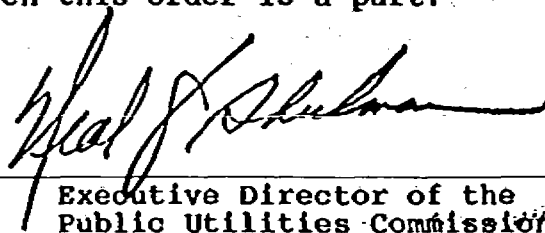
Common Carrier Contract T-119,856-2
Fleet Service Corp.
P. O. Box 4112
Whittier, CA 90607

} Order Cancelling Rate
} (Filing Numbered Same as
} Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-119,856-2 is ordered cancelled and will not go into effective June 17, 1990.

Common carrier contracts must cite the source of the carrier's equivalent tariff rates by tariff and item number(s). Fleet Service Corp. filed common carrier contract number T-119,856-2 with C & F Foods, which appeared on the Commission's Transportation Calendar May 16, 1990. The contract filing was suspended on May 18, 1990 for 30 days because it does not cite the source of the carrier's equivalent tariff rates, violating Decision 90-02-021.

This order issued JUN 6 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1000 of which this order is a part.


Executive Director of the
Public Utilities Commission