

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1001\*  
Transportation Division  
June 20, 1990

R E S O L U T I O N

RESOLUTION NO. OCR-1001 ORDER CANCELLING COMMON CARRIER TARIFFS, COMMON CARRIER CONTRACTS, AND SPECIAL CONTRACTS WHICH HAVE BEEN TEMPORARILY SUSPENDED FOR VIOLATIONS OF D.90-02-021

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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 | G.I. Trucking Company, Inc.<br>T-12,983<br>Special Contract T-12,983-452     |
| OCR No. 2 | AJM Trucking Company<br>T-120,130<br>Common Carrier Contract T-120,130-2     |
| OCR No. 3 | Interstate Distributor Company<br>T-106,117<br>Special Contract T-106,117-12 |
| OCR No. 4 | Crescent Truck Lines, Inc.<br>T-154,407<br>Special Contract T-154,407-74     |
| OCR No. 5 | Transteq Group, Inc.<br>T-150,644<br>Special Contract T-150,644-4            |
| OCR No. 6 | Smiser Freight Service<br>T-158,246<br>Special Contract T-158,246-621        |
| OCR No. 7 | Smiser Freight Service<br>T-158,246<br>Special Contract T-158,246-711        |

Resolution No. OCR-1001

OCR No. 8

Trucking Unlimited  
T-61,145  
Tariff 1, Item 435.1

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.

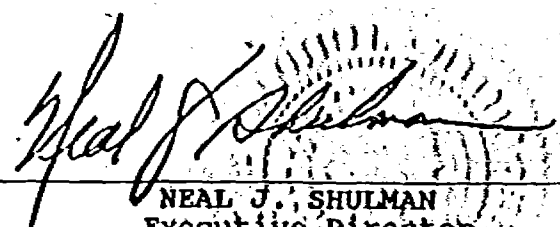
IT IS ORDERED that:

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 20 1990.  
The following Commissioners approved it:

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

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

  
NEAL J. SHULMAN  
Executive Director

Order No. OCR 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

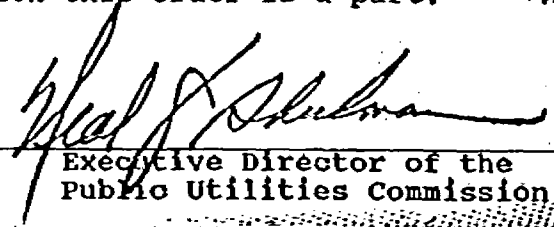
Special Contract T-12,983-452 )  
G.I. Trucking Company )  
14727 Alondra Boulevard )  
La Mirada, CA 90638 )

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-12,983-452 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. G.I. Trucking Company filed special contract number T-12,983-452 with Packard Bell which appeared on the Commission's Transportation Calendar May 25, 1990. The contract was suspended on June 1, 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 20 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1001 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

Common Carrier Contract T-120,130-2  
AJM Trucking Company  
9949 Edna Way  
Hanford, CA 93230

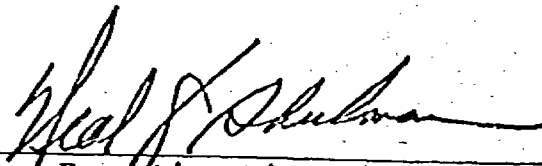
Order Cancelling Rate

(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-120,130-2 is ordered cancelled and will not go into effect June 21, 1990.

Common carrier contracts must cite the source of the carrier's equivalent tariff rates by tariff and item number(s). AJM Trucking Company filed common carrier contract number T-120,130-2 with Pacific Ream Packaging Corporation, which appeared on the Commission's Transportation Calendar May 21, 1990. The contract filing was suspended on May 22, 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 20 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1001 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-106,117-12 }  
Interstate Distributor Co. }  
P. O. Box 45999 }  
Tacoma, Washington 98445-0999 }

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-106,117-12 is ordered cancelled and will not go into effect June 23, 1990.

Every contract filed shall contain rates stated in their entirety according to Rule 6.6(f) of General Order (GO) 147-B. Governing distance tables must be filed as a part of the Special Contract rates or be previously filed with the Commission as the Governing Publication for distance determination. Additionally, Rule 3.11, GO 147-B provides for use of the Commission's Distance Table 8 as a governing mileage publication for all common and contract carriers subject to the General Order. Interstate Distributor filed special contract number T-106,117-12 with James River Company, which appeared on the Commission's Transportation Calendar May 15, 1990. The contract was suspended on May 24, 1990 for 30 days because it did not include with the contract the mileage guide referred to in the contract, Household Goods Carrier's Bureau Mileage Guide No. 14 (ICC HGB 100-C), as required by Rule 6.6(f), GO 147-B.

This order issued JUN 20, 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1001 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

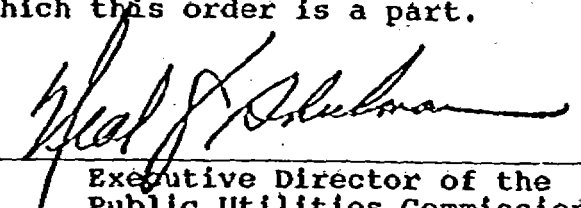
Special Contract T-154,407-74  
Crescent Truck Lines, Inc.  
2480 Whipple Road  
Hayward, CA 94544

} 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-154,407-74 is ordered cancelled and will not go into effect June 13, 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. Crescent Truck Lines, Inc. filed special contract number T-154,407-74 with USI, Inc., which appeared on the Commission's Transportation Calendar May 25, 1990. The contract was suspended on May 30, 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 20 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1001 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

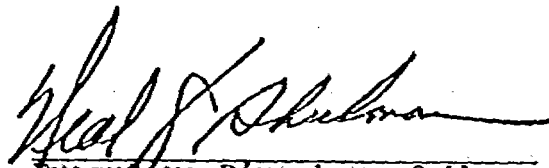
Special Contract T-150,644-4 )  
Transteg Group, Inc. )  
1911 So. Commercenter East, Suite 202 )  
San Bernardino, CA 92408 )

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-150,644-4 is ordered cancelled and will not go into effect June 30, 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. Transteg Group, Inc. filed special contract number T-150,644-4 with National Foods, Inc., which appeared on the Commission's Daily Transportation Calendar May 23, 1990. The contract was suspended on May 31, 1990 for 30 days because it did not include evidence of the substantial shipper obligation, required by Rule 6.14 of General Order-148-B.

This order issued JUN 20 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution NO. OCR-1001 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

Special Contract T-158,246-621 )  
Smiser Freight Service )  
8610 Atlantic )  
South Gate, CA 90280 )

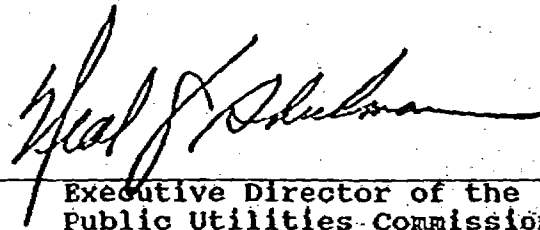
Order Cancelling Rate

(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-158,246-621 is ordered cancelled and will not go into effect June 30, 1990.

Smiser Freight Service filed Special Contract number T-158,246-621 with Sharp Electronics, which appeared on the Commission's Transportation Calendar May 31, 1990. The contract filing was suspended on June 1, 1990 for 30 days because it does not contain the signature of the shipper, violating Decision 90-02-021.

This order issued JUN 20 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1001 of which this order is a part.

  
Executive Director of the  
Public Utilities Commission



Order No. OCR 7\*

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-158,246-711 )  
Smiser Freight Service )  
8610 Atlantic )  
South Gate, CA 90280 )

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-158,246-711 is ordered cancelled and will not go into effect June 30, 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. Smiser Freight Service filed special contract number T-158,246-711 with Warner Elektra Atlantic, which appeared on the Commission's Transportation Calendar May 31, 1990. The contract was suspended on June 1, 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 20 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1001 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission

Order No. OCR 8\*

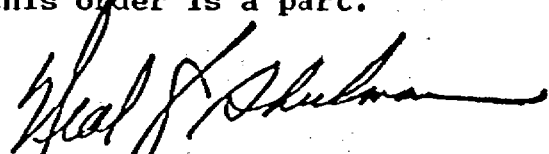
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Common Carrier Tariff Item 435.1,	)	Order Cancelling Rate
Trucking Unlimited Tariff 1, CA PUC 1.)	)	
Trucking Unlimited	)	
9215 Sorensen Ave.	)	(Filing Numbered Same as
<u>Santa Fe Springs, CA 90670</u>	)	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Item 435.1, Trucking Unlimited Tariff 1, CA PUC 1 (5th Revised Page 1 and 2nd Revised Page 2) is ordered cancelled and will not go into effect June 30, 1990.

Rules of a common carrier tariff cannot contain provisions which do not allow all users of a tariff to ascertain the exact rates and charges pertaining to a given shipment. Apportioning freight charges at the discretion of an unspecified party without regard to the actual origin of the shipment would make the task of determining the applicable rates difficult if not impossible and is a violation of Rule 5.4, General Order 147-B. This tariff page filing appeared on the Commission's Transportation Calendar May 29, 1990 and was suspended for 30 days commencing June 6, 1990.

This order issued JUN 20 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1001 of which this order is a part.

  
Executive Director of the  
Public Utilities Commission