

MEMORANDUM

Date : December 12, 1990
To : The Commission
(Meeting of December 19, 1990)
From : *Jim Diani*
Jim Diani, Principal
Tariff and License Branch

File No.:

Subject : CA-2

RESOLUTION NO. OCR-1013 ORDER CANCELLING COMMON CARRIER TARIFFS,
COMMON CARRIER CONTRACTS, AND SPECIAL CONTRACTS WHICH HAVE BEEN
TEMPORARILY SUSPENDED FOR VIOLATION OF D.90-02-021.

OCR 1 Sunset Delivery, Inc.

Carrier failed to show evidence of the substantial shipper
obligation in contract amendment, T-158,301-1, required for
a special contract.

OCR 2 Sunset Delivery, Inc.

Carrier failed to show evidence of the substantial shipper
obligation in contract amendment, T-158,301-2, required for a
special contract.

OCR 3 Sunset Delivery, Inc.

Carrier failed to show evidence of the substantial shipper
obligation in contract amendment, T-158,301-3, required for a
special contract.

OCR 4 Sunset Delivery, Inc.

Carrier failed to show evidence of the substantial shipper
obligation in contract amendment, T-158,301-4, required for a
special contract.

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1013
Transportation Division
December 19, 1990

R E S O L U T I O N

RESOLUTION NO. OCR-1013 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	Sunset Delivery, Inc. T-158,301 Special Contract T-158,301-1
OCR No. 2	Sunset Delivery, Inc. T-158,301 Special Contract T-158,301-2
OCR No. 3	Sunset Delivery, Inc. T-158,301 Special Contract T-158,301-3
OCR No. 4	Sunset Delivery, Inc. T-158,301 Special Contract T-158,301-4

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 DEC 19 1990.
The following Commissioners approved it:

G. MITCHELL WALK

President

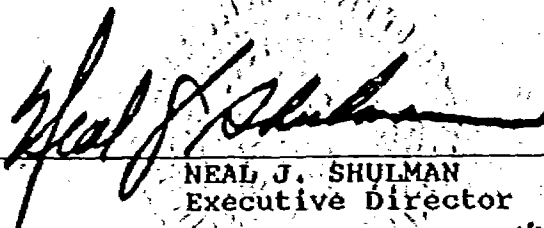
FREDERICK R. DUDA

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

Special Contract T-158,301-1)
Sunset Delivery, Inc.)
P.O. Box 3571)
Camarillo, CA 93011)

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, Special Contract T-158,301-1 is ordered cancelled and will not go into effect January 4, 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 calculated by multiplying the rate by the projected tonnage. Sunset Delivery, Inc. filed special contract number T-158,301-1 with Basic Business Forms, which appeared on the Commission's Transportation Calendar November 29, 1990. The contract was suspended on December 5, 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 DEC 19 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1013 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

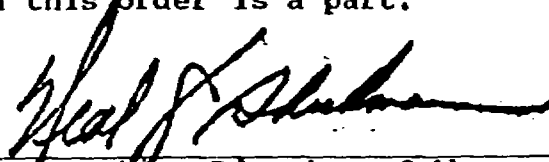
Special Contract T-158,301-2)
Sunset Delivery, Inc.)
P.O. Box 3571)
Camarillo, CA 93011)

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, Special Contract T-158,301-2 is ordered cancelled and will not go into effect January 4, 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 calculated by multiplying the rate by the projected tonnage. Sunset Delivery, Inc. filed special contract number T-158,301-2 with Bestforms Inc., which appeared on the Commission's Transportation Calendar November 29, 1990. The contract was suspended on December 5, 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 DEC 19 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1013 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-158,301-3)
Sunset Delivery, Inc.)
P.O. Box 3571)
Camarillo, CA 93011)

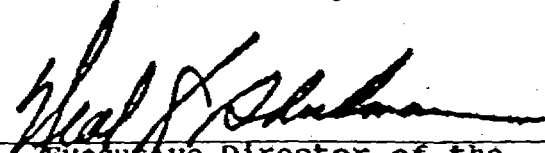
Order Cancelling Rate
(Filing Numbered Same as
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-158,301-3 is ordered cancelled and will not go into effect January 4, 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 calculated by multiplying the rate by the projected tonnage. Sunset Delivery, Inc. filed special contract number T-158,301-3 with Poser Business Forms, which appeared on the Commission's Transportation Calendar November 29, 1990. The contract was suspended on December 5, 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.

DEC 19 1990

This order issued _____, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1013 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-158,301-4)
Sunset Delivery, Inc.)
P.O. Box 3571)
Camarillo, CA 93011)

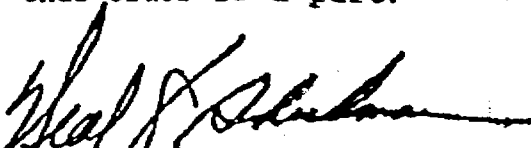
Order Cancelling Rate

(Filing Numbered Same as
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-158,301-4 is ordered cancelled and will not go into effect January 4, 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 calculated by multiplying the rate by the projected tonnage. Sunset Delivery, Inc. filed special contract number T-158,301-4 with Western Continuous Forms, Inc., which appeared on the Commission's Transportation Calendar November 29, 1990. The contract was suspended on December 5, 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 DEC 19 1990, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1013 of which this order is a part.



Executive Director of the
Public Utilities Commission