

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1015
Transportation Division
January 15, 1991

R E S O L U T I O N

RESOLUTION NO. OCR-1015 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

TS Express, Inc.
T-145,718
Special Contract T-145,718-7

OCR No. 2

TS Express, Inc.
T-145,718
Special Contract T-145,718-15

OCR No. 3

TS Express, Inc.
T-145,718
Special Contract T-145,718-17

OCR No. 4

Russell U. Cullum
T-129,454
Special Contract T-129,454-1

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.

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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

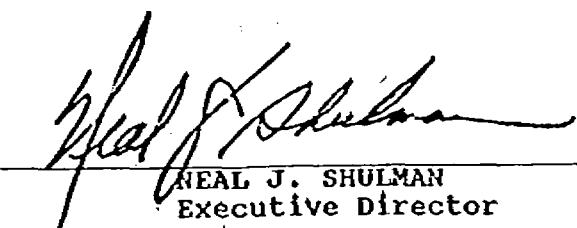
These filings should be cancelled.

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 January 15, 1991. The following Commissioners approved it:

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. CHANIAN
Commissioners


NEAL J. SHULMAN
Executive Director

Order No. OCR 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-145,718-7)
TS Express, Inc.)
2520 Rubidoux Blvd.)
Riverside, CA 92509)

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-145,718-7 is ordered canceled and will not go into effect January 25, 1991.

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. TS Express, Inc. filed Special Contract No. T-145,718-7 with Pogens Family Bakery, which appeared on the Commission's Transportation Calendar December 12, 1990. The contract was suspended on December 26, 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 JAN 15 1991, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1015 of which this order is a part.



Executive Director of the
Public Utilities Commission

Order No. OCR 2

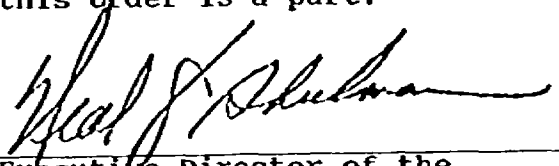
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-145,718-15)	Order Cancelling Rate
TS Express, Inc.)	
2520 Rubidoux Blvd.)	(Filing Numbered Same as
<u>Riverside, CA 92509)</u>	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-145,718-15 is ordered canceled and will not go into effect January 25, 1991.

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. TS Express, Inc. filed Special Contract No. T-145,718-15 with American Olean Tile Company, which appeared on the Commission's Transportation Calendar December 12, 1990. The contract was suspended on December 26, 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 JAN 15 1991, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1015 of which this order is a part.



Executive Director of the
Public Utilities Commission

Order No. OCR 3

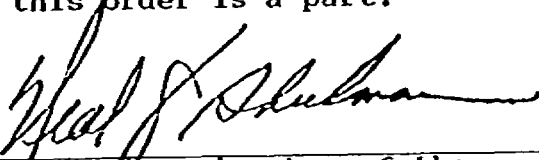
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-145,718-17)	Order Cancelling Rate
TS Express, Inc.)	
2520 Rubidoux Blvd.)	(Filing Numbered Same as
<u>Riverside, CA 92509)</u>	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-145,718-17 is ordered canceled and will not go into effect January 25, 1991.

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. TS Express, Inc. filed Special Contract No. T-145,718-17 with Ronpak, Inc., which appeared on the Commission's Transportation Calendar December 12, 1990. The contract was suspended on December 26, 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.

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Executive Director of the
Public Utilities Commission

Order No. OCR 4

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

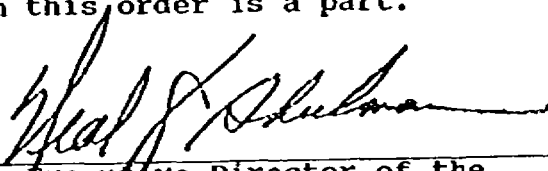
Special Contract T-129,454-1)
Russell U. Cullum)
1106 E. Howard Avenue)
Visalia, CA 93277)

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-129,454-1 is ordered canceled and will not go into effect January 25, 1991.

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. Russell U. Cullum filed Special Contract No. T-129,454-1 with Vlastic Foods, Inc., which appeared on the Commission's Transportation Calendar December 12, 1990. The contract was suspended on December 26, 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.

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Executive Director of the
Public Utilities Commission