

MEMORANDUM

Date : March 19, 1991
To : The Commission
(Meeting of March 22, 1991)
From : *Jim Diani*
Jim Diani, Principal
Tariff and License Branch

File No.:

Subject : CA-2

RESOLUTION NO. OCR-1020 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 Blue Ribbon Express
Carrier failed to show termination date in Contract T-111,595-2
as required for a special contract.

OCR 2 Crescent Truck Lines, Inc.
Carrier failed to show evidence of a substantial shipper
obligation in Contract T-154,407-1143 required for a special
contract.

OCR 3 Crescent Truck Lines, Inc.
Special Contract T-154,407-1145 contains retroactive released
value provisions which may not be applicable at or before the
shipment is tendered and are therefore unlawful.

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1020 *
Transportation Division
March 22, 1991

R E S O L U T I O N

RESOLUTION NO. OCR-1020 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

Blue Ribbon Express, Inc.
T-111,595
Special Contract T-111,595-2

OCR No. 2

Crescent Truck Lines, Inc.
T-154,407
Special Contract T-154,407-1143

OCR No. 3

Crescent Truck Lines, Inc.
T-154,407
Special Contract T-154.407-1145

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

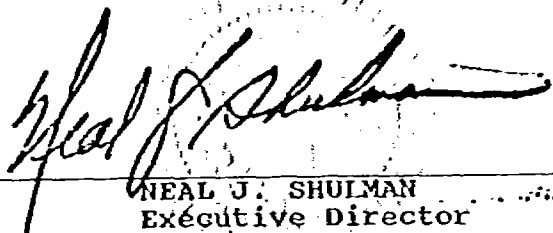
These filings should be cancelled.

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 March 22, 1991. The following Commissioners approved it:

PATRICIA M. ECKERT
President
G. MITCHELL WILK
JOHN B. CHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners



A handwritten signature in cursive script, reading "Neal J. Shulman", is written over a circular embossed seal. The seal contains the text "PUBLIC UTILITIES COMMISSION" around the perimeter and "1991" at the bottom. The signature is written in dark ink and extends across the seal.

NEAL J. SHULMAN
Executive Director

Order No. OCR 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-111,595-2)
Blue Ribbon Express)
956 Catherine Street)
Alviso, CA 95002)

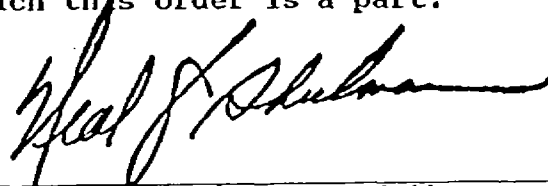
Order Cancelling Rate
(Filing Numbered Same as
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-111,595-2 is ordered canceled and will not go into effect April 14, 1991.

Blue Ribbon Express filed Special Contract T-111,595-2 with Syntex Labs, which appeared on the Commission's Transportation Calendar March 6, 1991. The contract was suspended on March 15, 1991 for 30 days because it did not specify the termination date as required by Rule 6.3 of General Order 147-B.

MAR 22 1991

This order issued _____, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1020 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-154,407-1143)	Order Cancelling Rate
Crescent Truck Lines, Inc.)	(Filing Numbered Same as
2480 Whipple Road)	Order Number Above)
<u>Hayward, CA 94544</u>)	

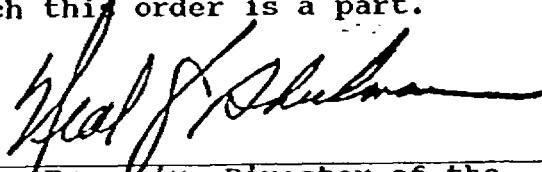
In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-154,407-1143 is ordered canceled and will not go into effect April 5, 1991.

Your special contract with Amax Engineering Corp. states that the shipper agrees to provide a substantial shipper obligation if the monthly dollar figure is less than \$1,000 but the contract does not provide any statement specifying the nature of the substantial obligation.

The contract was suspended on March 18, 1991 for 30 days because it failed to meet the requirements for a substantial shipper obligation under Rules 3.18 and 6.14 of General Order 147-B.

MAR 22 1991

This order issued _____, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1020 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-154,407-1145)	Order Cancelling Rate
Crescent Truck Lines, Inc.)	
2480 Whipple Road)	(Filing Numbered Same as
<u>Hayward, CA 94544</u>)	Order Number Above)

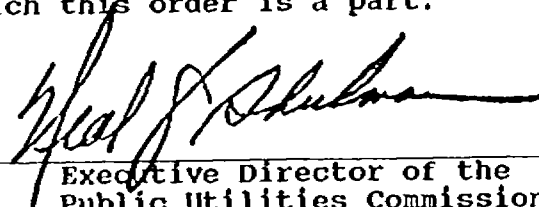
In conformity with the findings and order made by the Commission in a resolution entered this day, Contract T-154,407-1145 is ordered canceled and will not go into effect April 5, 1991.

Your special contract with American Products Co. states that when the monthly revenue amount is less than \$1000, carrier will be held harmless for loss and damage claims under \$25 and shipper will release all freight tendered to 90% of actual value. Released value limitations must be established at or before shipper tenders freight to the carrier.

The contract was suspended on March 18, 1991 for 30 days because it failed to meet the requirements for a substantial shipper obligation under Rules 3.18 and 6.14 of General Order 147-B.

MAR 22 1991

This order issued _____, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1020 of which this order is a part.



Executive Director of the
Public Utilities Commission