

MEMORANDUM

Date : September 18, 1991
To : The Commission
(Meeting of September 25, 1991)
From : *Jim Dianni*
Jim Dianni, Principal
Tariff and License Branch
File No.:
Subject : CA-2

RESOLUTION NO. OCR-1031 ORDER CANCELING COMMON CARRIER
TARIFFS, COMMON CARRIER CONTRACTS, AND SPECIAL CONTRACTS
WHICH HAVE BEEN TEMPORARILY SUSPENDED FOR VIOLATION OF
D.90-02-021.

OCR 1 R. G. Trucking
Carrier failed to show evidence of substantial shipper
obligation in Contract T-150,916-1 as required for a special
contract.

OCR 2 Sunbelt Express
Common carrier refers to an unauthorized distance table,
Household Goods Carriers' Bureau Mileage Guide 100-Q, for its
governing distance table.

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1031
Transportation Division
September 25, 1991

R E S O L U T I O N

RESOLUTION NO. OCR-1031 ORDER CANCELING COMMON
CARRIER TARIFFS, COMMON CARRIER CONTRACTS, AND SPECIAL
CONTRACTS WHICH HAVE BEEN TEMPORARILY SUSPENDED FOR
VIOLATIONS OF D.90-02-021

The filings 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 canceled.

Rate Canceling
Order

OCR No. 1

OCR No. 2

Rate Filing By:

R. G. Trucking
T-150,916
Special Contract T-150,916-1

Sunbelt Express, Inc.
Local Freight Tariff, CAL PUC 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 canceled.
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.

Resolution No. OCR-1031
September 25, 1991

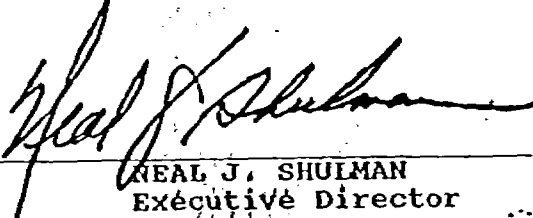
Conclusion of Law

These filings should be canceled.

IT IS ORDERED that:

1. The above rate filings are canceled as specified in the orders canceling 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 September 25, 1991. The following Commissioners approved it:


NEAL J. SHULMAN
Executive Director

I abstain

G. MITCHELL WILK
Commissioner

PATRICIA M. ECKERT
President
JOHN B. OHANIAN
DANIEL Wm. FESSLER
NORMAN D. SHUMWAY
Commissioners

Order No. OCR 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-150,916-1)
R. G. Trucking)
1398 Lincoln Place)
San Diego, California 92114)

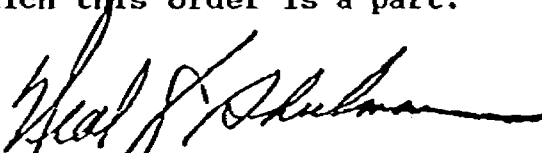
Order Canceling Rate
(Filing Numbered Same as
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-150,916-1 is ordered canceled and will not go into effect September 15, 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.

R. G. Trucking filed Special Contract T-150,916-1 with San Diego Wholesale which appeared on the Commission's Daily Transportation Calendar August 27, 1991. The contract was suspended on September 13, 1991 for 30 days because it did not include evidence of the substantial shipper obligation, required by Rule 6.14 of General Order 147-C.

This order issued SEP 25 1991, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1031 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 Tariff Filing)
Sunbelt Express, Inc.)
P. O. Box 461845)
Garland, Texas 75046)

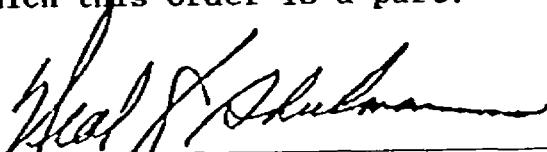
Order Canceling Rate
(Filing Numbered Same as
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Sunbelt Express, Inc. is ordered to cancel its Local Freight Tariff, CAL PUC 1. The Household Goods Carriers' Bureau Mileage Guide 100-Q has not been authorized for use as a governing distance table. A formal application for its use is required. Additionally, Rule 6.7(e), General Order 80-C requires that a carrier have a complete description of its operating rights displayed in its tariff.

This filing was listed on the Commission's Daily Transportation Calendar on September 9, 1991 and was suspended on September 13, 1991 for 30 days.

SEP 25 1991

This order issued _____, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1031 of which this order is a part.



Executive Director of the
Public Utilities Commission