

MEMORANDUM

Date : March 26, 1992
To : The Commission
(Meeting of March 31, 1992)
From : *Jim Diani*
Jim Diani, Principal
Tariff and License Branch

File No.:

Subject : CA-2

RESOLUTION NO. OCR-1043 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 Vecta Transportation Systems, Inc.

Carrier failed to include the signature of the carrier in Contract T-139,758-97 as required for a special contract.

OCR 2 Vecta Transportation Systems, Inc.

Carrier failed to include the signature of the carrier in Contract T-139,758-98 as required for a special contract.

OCR 3 Ragain and Ragain Enterprises

Carrier failed to show evidence of substantial shipper obligation in Contract T-166,586-1 as required for a special contract.

OCR 4 Burgess Transportation

Carrier failed to show evidence of substantial shipper obligation in Contract T-109,332-4 as required for a special contract.

OCR 5 Griffin's Freight Systems

Carrier filed Common Carrier Contract T-172,973-1 without having the requisite operating authority.

OCR 6 Griffin's Freight Systems

Carrier filed Common Carrier Contract T-172,973-2 without having the requisite authority.

Resolution No. OCR 1043
March 31, 1992

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.

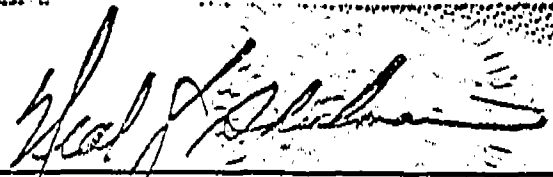
Conclusion of Law

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 March 31, 1992. The following Commissioners approved it:



NEAL J. SHULMAN
Executive Director

DANIEL Wm. FESSLER
President
JOHN B. O'BRIEN
PATRICIA M. ECKERT
NORMAN D. SHUMWAY
Commissioners

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1043
Transportation Division
March 31, 1992

RESOLUTION

RESOLUTION NO. OCR-1043 ORDER CANCELING COMMON
CARRIER TARIFFS, COMMON CARRIER CONTRACTS, AND SPECIAL
CONTRACTS WHICH HAVE BEEN TEMPORARILY SUSPENDED FOR
VIOLATIONS OF D.90-02-021

The 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 canceled.

Rate Canceling
Order

Rate filing By:

OCR No. 1	Vecta Transportation T-139,758 Special Contract T-139,758-97
OCR No. 2	Vecta Transportation T-138,758 Special Contract T-139,758-98
OCR No. 3	Ragain and Ragain Enterprises T-166,576 Special Contract T-166,576-1
OCR No. 4	Burgess Transportation T-109,332 Special Contract T-109,332-4
OCR No. 5	Griffin's Freight Systems T-172,973 Special Contract T-172,973-1
OCR No. 6	Griffin's Freight Systems T-172,973 Special Contract T-172,973-2

Findings of Fact

1. The rate filings listed above violate D.90-02-021.

Order No. OCR 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

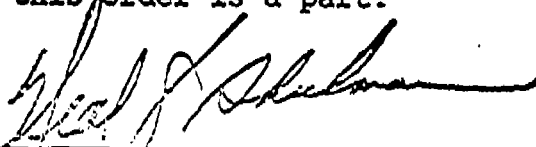
Special Contract T-139,758-97)	Order Canceling Rate
Vecta Transportation Systems, Inc.)	(Filing Numbered Same as
P.O. Box 38436)	Order Number Above)
Sacramento, CA 95838-0436)	

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-139,758-97 with Silver Metal Products is ordered canceled and will not go into effect April 11, 1992.

Special contracts must contain the signatures of both carrier and shipper. This contract does not contain the signature of the carrier.

The contract was listed on the Commission's Daily Transportation Calendar on March 5, 1992 and was suspended on March 11, 1992 for 30 days.

This order is issued MAR 31 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1043 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-139,758-98)	Order Canceling Rate
Vecta Transportation Systems, Inc.)	
P.O. Box 38436)	(Filing Numbered Same as
Sacramento, CA 95838-0436)	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-139,758-98 with Unverferth is ordered canceled and will not go into effect April 11, 1992.

Special contracts must contain the signatures of both carrier and shipper. This contract does not contain the signature of the carrier.

The contract was listed on the Commission's Daily Transportation Calendar on March 5, 1992 and was suspended on March 11, 1992 for 30 days.

This order is issued MAR 31 1992, by the Public Utilities Commission of the State of California by the adoption of the ~~...~~ Resolution No. OCR-1043 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-166,586-1)	Order Canceling Rate
Ragain and Ragain Enterprises)	
P.O. Box 2100)	(Filing Numbered Same as
Mc Kinleyville, CA 95521)	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-166,586-1 with Cascade Forest Products is ordered canceled and will not go into effect April 11, 1992.

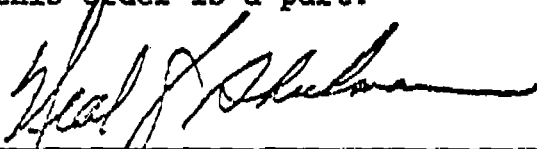
Special contracts must include evidence of substantial shipper obligation in the contract. To meet this requirement the contract must either provide for the carrier to earn a minimum of \$1,000 per month for delivered transportation services, or the contract must call for substantial shipper obligations not normally provided under common carrier tariff rates by any carrier.

The carrier failed to provide in the contract evidence of substantial shipper obligations as required by Rule 6.14 of General Order 147-C. Furthermore, the contract contains ambiguities which do not allow a precise determination of the compensation to be received by the carrier.

The contract was listed on the Commission's Daily Transportation Calendar on February 26, 1992 and was suspended on March 11, 1992 for 30 days.

MAR 31 1992

This order is issued _____, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1043 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-109,332-4)	Order Canceling Rate
Burgess Transportation)	
20829 Currier Road)	(Filing Numbered Same as
Walnut, CA 91789)	Order Number Above)

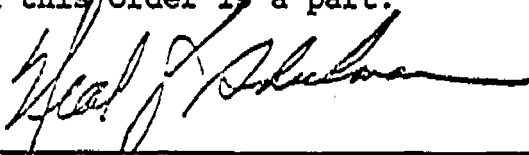
In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-109,332-4 with Bridgford Foods is ordered canceled and will not go into effect April 12, 1992.

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.

The carrier failed to provide in the contract evidence of substantial shipper obligations as required by Rule 6.14 of General Order 147-C. Furthermore, the contract contains ambiguities which do not allow a precise determination of the compensation to be received by the carrier.

The contract was listed on the Commission's Daily Transportation Calendar on March 5, 1992 and was suspended on March 12, 1992 for 30 days.

This order is issued MAR 31 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1043 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

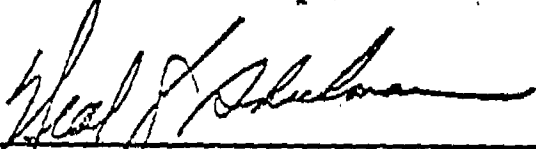
Common Carrier Contract T-172,973-1)	Order Canceling Rate
Griffin's Freight Systems)	
P.O. Box 3244)	(Filing Numbered Same as
Yuba City, CA 95991)	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Common Carrier Contract T-172,973-1 is ordered canceled and will not go into effect April 12, 1992.

Griffin's Freight Systems filed Common Carrier Contract T-172,973-1 with Hust Bros. Rule 6.13 of General Order 147-C requires highway carriers to hold both common and contract carrier authorities in order to file common carrier contracts. The carrier does not hold a common carrier certificate.

The contract was listed on the Commission's Daily Transportation Calendar on March 9, 1992, and was suspended on March 12, 1992, for 30 days.

This order is issued MAR 31 1992, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1043 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

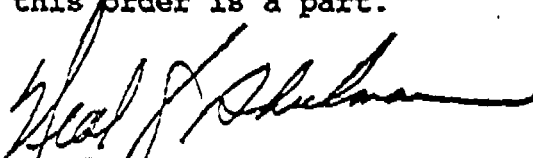
Common Carrier Contract T-172,973-2)	Order Canceling Rate
Griffin's Freight Systems)	
P.O. Box 3244)	(Filing Numbered Same as
Yuba City, CA 95991)	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Common Carrier Contract T-172,973-2 is ordered canceled and will not go into effect April 12, 1992.

Griffin's Freight Systems filed Common Carrier Contract T-172,973-2 with Midas Muffler. Rule 6.13 of General Order 147-C requires highway carriers to hold both common and contract carrier authorities in order to file common carrier contracts. The carrier does not hold a common carrier certificate.

The contract was listed on the Commission's Daily Transportation Calendar on March 9, 1992, and was suspended on March 12, 1992, for 30 days.

This order is issued MAR 31 1992, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1043 of which this order is a part.



Executive Director of the
Public Utilities Commission