

MEMORANDUM

Date : July 17, 1992  
To : The Commission  
(Meeting of July 22, 1992)  
From : *Jim Diani*  
Jim Diani, Principal  
Tariff and License Branch  
Subject : CA-2

RESOLUTION NO. OCR-1051 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 Rex Smith Trucking  
Carrier lacked the requisite operating authority (Highway Common  
Carrier Certificate) to file Common Carrier Contract T-117,834-1.

OCR 2 Total Transportation Enterprises, Inc.  
Carrier filed special contracts as listed in Appendix "A". Each  
contract contained numerous conditions that were in violation of  
General Order 147-C.

OCR 3 Total Transportation Enterprises, Inc.  
Carrier filed Special Contract T-173,694-9 that contained several  
violations of General Order 147-C.

OCR 4 Total Transportation Enterprises, Inc.  
Carrier filed Special Contract T-173,694-25 that contained  
several violations of General Order 147-C.

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1051  
Transportation Division  
July 22, 1992

RESOLUTION

RESOLUTION NO. OCR-1051 ORDER CANCELING COMMON CARRIER TARIFFS, COMMON CARRIER CONTRACTS, AND SPECIAL CONTRACTS WHICH HAVE BEEN TEMPORARILY SUSPENDED FOR VIOLATIONS OF D.90-02-021

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The 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 canceled.

Rate Canceling  
Order

Rate Filing By:

OCR No. 1	Rex Smith Trucking T-117,834-1 Common Carrier Contract
OCR No. 2	Total Transportation Enterprises, Inc. T-173,694 Special Contract (see attached Appendix "A")
OCR No. 3	Total Transportation Enterprises, Inc. T-173,694 Special Contract T-173,694-9
OCR No. 4	Total Transportation Enterprises, Inc. T-173,694 Special Contract T-173,694-25

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.

Resolution No. OCR-1051  
July 22, 1992

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.

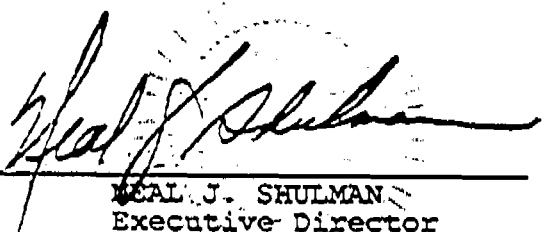
Conclusion of Law

These filings should be canceled.

IT IS ORDERED that:

1. The above rate filings are canceled as specified in the order 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 July 22, 1992. The following Commissioners approved it:



NEAL J. SHULMAN  
Executive Director

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

Order No. OCR 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Common Carrier Contract T-117,834-1 )	Order Canceling Rate
Rex Smith Trucking )	
32395 N. Mitchell Creek Road )	(Filing Numbered Same as
Fort Bragg, CA 95437 )	Order Number Above)

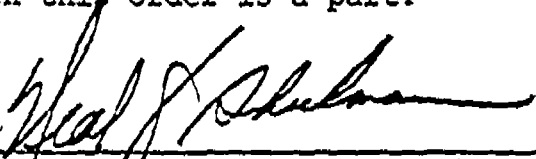
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In conformity with the findings and order made by the Commission in a resolution entered this day, Common Carrier Contract T-117,834-1 is ordered canceled and will not go into effect July 24, 1992.

Common carrier contracts may only be filed by highway carriers who hold both Highway Common Carrier Certificate and Highway Contract Permit. Rex Smith Trucking only holds a permit to operate as a highway contract carrier.

Common Carrier Contract T-117,834-1 with Wendling-Nathan Company was listed on the Commission's Daily Transportation Calendar on June 18, 1992, and suspended on June 24, 1992.

This order issued JUL 22 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1051 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission

Order No. OCR 2

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contracts T-173,694	)	Order Canceling Rate
See Appendix A	)	
Total Transportation Enterprises, Inc.	)	(Filing Numbered Same as
1684 Pinewood Way	)	Order Number Above)
Milpitas, CA 95035	)	

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In conformity with the findings and order made by the Commission in a resolution entered this day, the Special Contracts listed in Appendix A are ordered canceled and will not go into effect August 1, 1992.

The contracts involved contained several conditions that were in violation of General Order 147-C:

The contracts did not include shipper obligations.

The contracts did not indicate the method for determination of distance.

The contracts did not define the class of freight transported.

The contracts did not include the contract number on each page and the suffix numbers were not listed in consecutive order.

The contracts contained terms that were not adequately described and contrasted.

The contracts did not describe the commodities involved in transportation.

The contracts did not indicate whether or not C.O.D. services would be provided.

The Special Contracts identified in Appendix A were listed on the Commission Daily Transportation Calendar on June 23, 1992 and were suspended on July 2, 1992.

Order No. OCR 2  
Resolution OCR-1051  
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This order issued JUL 22 1992, by the Public Utilities  
Commission of the State of California by the adoption of the  
Resolution No. OCR-1051 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission

Appendix A  
To Order No. OCR 2  
Resolution No. OCR 1051

<u>Shipper</u>	<u>Suffix Number</u>
Data Technology Corporation	01
Spectra Physics	02
Compression Labs, Inc.	06
Acer American Corporation	07
Western Microtechnology	08
Solectron	15
Reply Corporation	17
Altos Computer	21
Analog Devices - P.M.I.	24

Order No. OCR 3

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-173,694-9	)	Order Canceling Rate
Total Transportation Enterprises, Inc.	)	(Filing Numbered Same as
1684 Pinewood Way	)	Order Number Above)
Milpitas, CA 95035	)	

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In conformity with the findings and order made by the Commission in a resolution entered this day, the Special Contract T-173,694-9 is ordered canceled and will not go into effect August 8, 1992.

The contract number T-173,694-9 with Hewlett Packard Company contained several conditions that were in violation of General Order 147-C:

The contract did not indicate the method for determination of distance.

The contract did not define the class of freight transported.

The contract did not include the contract number on each page and the suffix numbers were not listed in consecutive order.

The contract contained terms that were not adequately described and contrasted.

The contract did not describe the commodities involved in transportation.

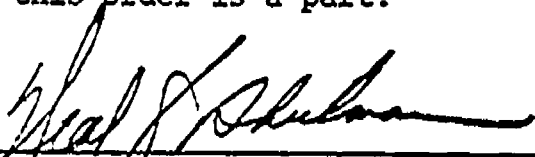
The contract did not indicate whether or not C.O.D. services would be provided.

This filing was listed on the Commission's Daily Transportation Calendar on July 2, 1992 and was suspended on July 9, 1992.



Order No. OCR 3  
Resolution OCR-1051  
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Resolution No. OCR-1051 of which this order is a part.



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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-173,694-25	)	Order Canceling Rate
Total Transportation Enterprises, Inc.	)	(Filing Numbered Same as
1684 Pinewood Way	)	Order Number Above)
Milpitas, CA 95035	)	

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In conformity with the findings and order made by the Commission in a resolution entered this day, the Special Contract T-173,694-25 ordered canceled and will not go into effect August 8, 1992.

The contract number T-173,694-25 with Qume Corporation contained several conditions that were in violation of General Order 147-C:

The contract did not indicate the method for determination of distance.

The contract did not define the class of freight transported.

The contract did not include the contract number on each page, and the suffix numbers were not listed in consecutive order.

The contract contained terms that were not adequately described and contrasted.

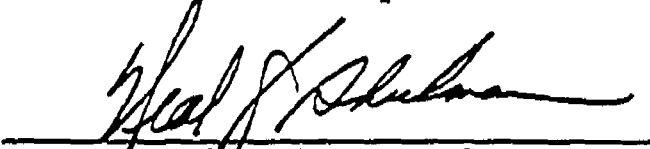
The contract did not describe the commodities involved in transportation.

The contract did not indicate whether or not C.O.D. services would be provided.

This filing was listed on the Commission's Daily Transportation Calendar on July 2, 1992 and was suspended on July 9, 1992.

Order No. OCR 4  
Resolution OCR-1051  
Page 2

This order issued JUL 22 1992, by the Public Utilities  
Commission of the State of California by the adoption of the  
Resolution No. OCR-1051 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission