

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution No. OCR-1058  
Transportation Division  
November 23, 1992

RESOLUTION

RESOLUTION NO. OCR-1058 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, common carrier tariffs, 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	Conway Western Express, Inc. T-140,218 Special Contract T-140,218-6294 Amendment 1
OCR No. 2	W. S. Emerian Trucking, Inc. T-107,169 Special Contract T-107,169-31 Amendment No. 1
OCR No. 3	Missouri-Nebraska Express, Inc. T-144,376 Common Carrier Contract T-144,376-2
OCR No. 4	Viking Freight System, Inc. T-84,649 Special Contract T-84,649-2192 Amendment No. 2
OCR No. 5	Viking Freight System, Inc. T-84,649 Special Contract T-84,649-2961 Amendment No. 1
OCR No. 6	Viking Freight System, Inc. T-84,649 Special Contract T-84,649-3273 Amendment No. 1

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OCR No. 7	Crescent Truck Lines T-154,407 Special Contract T-154,407-1790 Amendment 1
OCR No. 8	G. I. Trucking, Company, Inc. T-12,983 Special Contract T-12,983-1434
OCR No. 9	Hoban Trucking Inc. T-138,755 Common Carrier Contract T-138,755-2
OCR No. 10	G. K. Distributing & Trucking T-90,004 Special Contract T-90,004-1 Addendum 1
OCR No. 11	Western Drywall Transport, Inc. T-121,502 Special Contract T-121,502-23
OCR No. 12	Forrest Freeze Trucking, Inc. T-85,967 Special Contract T-85,967-4 Amendment 3
OCR No. 13	Viking Freight System, Inc. T-84,649 Special Contract T-84,649-504 Amendment 4
OCR No. 14	San Diego Express, Inc. T-149,343 Special Contract T-149,343-12
OCR No. 15	Pete Kooyman Trucking, Inc. T-136,734 Special Contract T-136,734-56
OCR No. 16	Gold Transportation, Inc. T-138,741 Special Contract T-138,741-127
OCR No. 17	Gold Transportation, Inc. T-138,741 Special Contract T-138,741-128
OCR No. 18	Gold Transportation, Inc. T-138,741 Special Contract T-138,741-129

OCR No. 19	Withdrawn
OCR No. 20	Withdrawn
OCR No. 21	Barnes Trucking T-151,597 Special Contract T-151,597-6
OCR No. 22	Missouri-Nebraska Express, Inc. T-144,376 Special Contract T-144,376-3
OCR No. 23	Steves Delivery Service T-155,519 Special Contract T-155,519-4
OCR No. 24	National Freight, Inc. T-173,084 Special Contract T-173,084-21
OCR No. 25	Walter Thomas Mullen T-171,884 Special Contract T-171,884-1 Amendment No. 1
OCR No. 26	Con-Way Western Express, Inc. T-140,218 Special Contract T-140,218-6691 Amendment No. 1
OCR No. 27	Mimar Trucking T-167,967 Special Contract T-167,976-1 Amendment No. 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 1058  
November 23, 1992

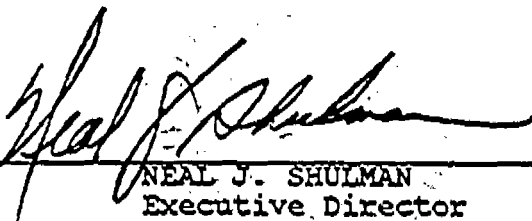
Conclusion of Law

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 November 23, 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

Special Contract T-140,218-6294	)	
Amendment 1	)	Order Canceling Rate
Conway Western Express, Inc.	)	
12903 Lakeland Road	)	(Filing Number Same As
Santa Fe Springs, CA 90670	)	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Amendment 1 to Special Contract T-140,218-6294 with Mayfair Packing is ordered canceled and will not go into effect December 5, 1992.

Carrier files amendment to contract which is not on file with the the Commission.

This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992 and was suspended November 5, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 2

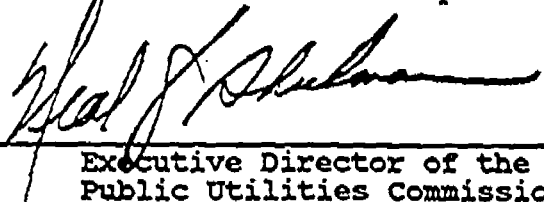
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-107,169-31 )	
Amendment No. 1 )	Order Canceling Rate
W.S. Emerian Trucking, Inc. )	
P. O. Box 2883 )	(Filing Number same
Fresno, CA 93745 )	Order Number Above)
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In conformity with the findings and order made by the Commission in a resolution entered this day, Amendment 1 to Special Contract T-107,169-31 with Guardian Industries Corp is ordered canceled and will not go into effect December 10, 1992.

An expired contract is considered canceled on the expiration date unless an amendment has been filed extending the agreement in accordance with General Order 147-C, Rule 6.12. The original contract expired August 28, 1992. This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992, and was suspended on November 10, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 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

Common Carrier Contract T-144,376-2	)	Order Canceling Rate
Missouri-Nebraska Express, Inc.	)	
P. O. Box 939	)	(Filing Numbered Same as
St. Joseph, MO 64502	)	Order Number Above)

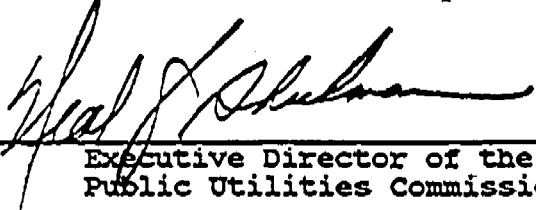
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In conformity with the findings and order made by the Commission in a resolution entered this day, Common Carrier Contract T-144,376-2 with Schuller International, Inc. is ordered canceled and will not go into effect December 9, 1992.

Common Carrier contracts may only be filed by highway carriers who hold both highway common carrier certificates and highway contract carrier permits. Missouri-Nebraska Express holds a certificate to operate as a highway common carrier only.

This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992 and was suspended November 9, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 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

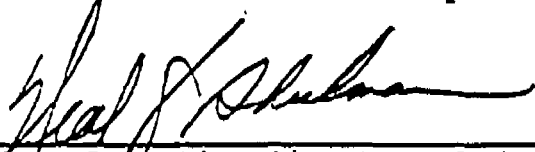
Special Contract T-84,649-2192	)	Order Canceling Rate
Amendment No. 2	)	
Viking Freight System, Inc.	)	(Filing Numbered Same as
411 E. Plumeria Drive, Suite 148	)	Order Number Above)
San Jose, CA 95134	)	
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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-84,649-2192 with Okonite Company is ordered canceled and will not go into effect December 9, 1992.

An expired contract is considered canceled on the expiration date unless an amendment has been filed extending the agreement in accordance with General Order 147-C, Rule 6.12. The original contract expired June 4, 1992. This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992, and was suspended on November 9, 1992, for 30 days.

NOV 23 1992

This order is issued \_\_\_\_\_, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 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

Special Contract T-84,649-2961	)	Order Canceling Rate
Amendment No. 1	)	
Viking Freight System, Inc.	)	(Filing Numbered Same as
411 E. Plumeria Drive, Suite 148	)	Order Number Above)
San Jose, CA 95134	)	

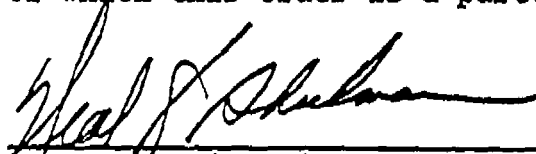
In conformity with the findings and order made by the Commission in a resolution entered this day, Amendment 1 to Special Contract T-84,649-2961 Woodgrain Moulding is ordered canceled and will not go into effect December 9, 1992.

A Special Contract Amendment must contain those requirements set forth in Rule 6 of General Order 147-C necessary to clearly and effectively identify and amend the original contract. Furthermore, as per Rule 4.2(a) of General Order 147-C, a rate filing transmittal for an amendment to a contract must contain the correct contract number and shipper's name as it appears on the original contract. Viking Freight System, Inc., filed Amendment 1 naming Woodgrain Molding as the shipper, which was not the same shipper named in the original contract.

This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992 and was suspended November 9, 1992, for 30 days.

NOV 23 1992

This order is issued \_\_\_\_\_, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 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

Special Contract T-84,649-3273 )	Order Canceling Rate
Amendment No. 1 )	
Viking Freight System, Inc. )	(Filing Numbered Same as
411 E. Plumeria Drive, Ste. 148 )	Order Number Above)
San Jose, CA 95134 )	
_____ )	

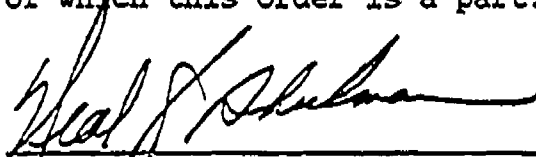
In conformity with the findings and order made by the Commission in a resolution entered this day, Amendment 1 to Special Contract T-84,649-3273 with Fisher Service is ordered canceled and will not go into effect December 9, 1992.

Carrier files an amendment to a contract which is not on file with the Commission.

This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992 and was suspended November 9, 1992, for 30 days.

NOV 23 1992

This order is issued \_\_\_\_\_, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 7

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-154,407-1790	)	Order Canceling Rate
Amendment 1	)	
Crescent Truck Lines, Inc.	)	(Filing Numbered Same as
2480 Whipple Road	)	Order Number Above)
Hayward, CA 94544	)	

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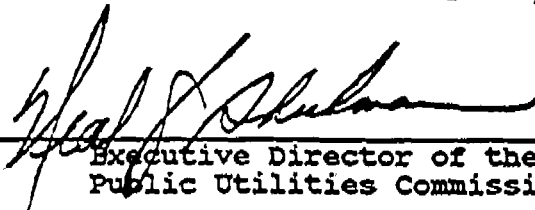
In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-154,407-1790 with Waymer Products is ordered canceled and will not go into effect December 6, 1992.

A Special Contract Amendment must contain those requirements set forth in Rule 6 of General Order 147-C necessary to clearly and effectively identify and amend the original contract. Furthermore, as per Rule 4.2(a) of General Order 147-C, a rate filing transmittal for an amendment to a contract must contain the correct shipper's name as it appears on the original contract. Crescent Truck Lines filed Amendment 1 naming Waymer Products, which was not the same shipper named in the original contract.

This filing was listed on the Commission's Daily Transportation Calendar on October 26, 1992 and was suspended November 6, 1992, for 30 days.

NOV 23 1992

This order is issued \_\_\_\_\_, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 8

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

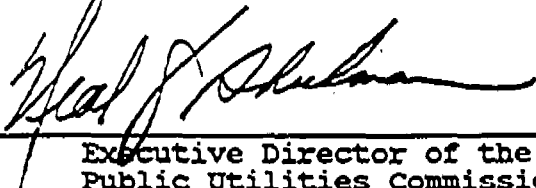
Special Contract T-12,983-1434 )	Order Canceling Rate
G. I. Trucking Company, Inc. )	(Filing Numbered Same as
14727 Alondra Blvd. )	Order Number Above)
La Mirada, CA 90638 )	
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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-12,983-1434 with Womens Specialty Retailing Group is ordered canceled and will not go into effect December 6, 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 call for substantial shipper obligations not normally provided under Common Carrier Tariff rates by any carrier per Rule 3.17 of General Order 147-C. The filing lacks such obligation.

This filing was listed on the Commission's Daily Transportation Calendar on October 26, 1992 and was suspended November 6, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
Executive Director of the  
Public Utilities Commission

Order No. OCR 9

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Common Carrier Contract T-138,755-2 )	Order Canceling Rate
Hoban Trucking, Inc. )	
P. O. Box 612 )	(Filing Numbered Same as
National City, CA 91951 )	Order Number Above)

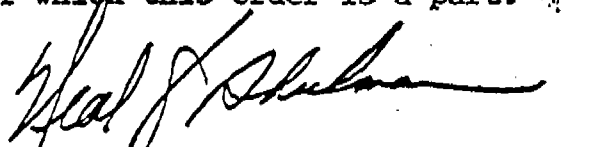
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In conformity with the findings and order made by the Commission in a resolution entered this day, Common Carrier Contract T-138,755-2 with Hazard Mart is ordered canceled and will not go into effect December 6, 1992.

A Common Carrier contract must contain a specific termination date as required by Rule 6.3 of General Order 147-C. The contract lacks the termination date. Common Carrier Contracts must also cite the source of the carrier's equivalent tariff rates by tariff and item number(s).

Hoban Trucking, Inc., filed Common Carrier Contract number T-138,755-2, which appeared on the Commission's Daily Transportation Calendar on October 29, 1992. Because the contract did not cite the source of the carrier's equivalent rates and lacked a termination date, both out of compliance with Decision 90-02-021, it was suspended on November 6, 1992, for 30 days

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 10

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-90,004-1	)	
Addendum 1	)	Order Canceling Rate
G. K. Distributing & Trucking	)	
13990 Valley Blvd.	)	(Filing Numbered Same as
Fontana, CA 92335	)	Order Number Above)

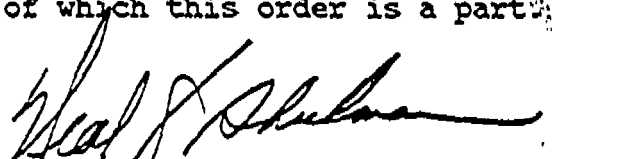
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In conformity with the findings and order made by the Commission in a resolution entered this day, Addendum 1 to Special Contract T-90,004-1 with Proctor & Gamble is ordered canceled and will not go into effect December 5, 1992.

Special contracts and their amendments must contain the signatures of both the carrier and shipper. This contract amendment does not contain the signature of the carrier. Also, an expired contract is considered canceled on the expiration date unless an amendment has been filed extending the agreement in accordance with General Order 147-C, Rule 6.12. The original contract expired June 4, 1992.

This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992 and was suspended November 5, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 11

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-121,502-23	)	
Western Drywall Transport, Inc.,	)	Order Canceling Rate
dba Western Direct Transport	)	
2001 Broadway	)	(Filing Numbered Same as
Vallejo, CA 94589	)	Order Number Above)
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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-121,502-23 with United States Gypsum is ordered canceled and will not go into effect December 5, 1992.

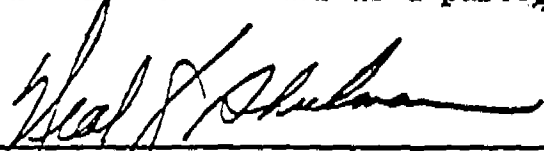
Rule 8.2 of General Order 147-C states that special contract rate filings must cite an effective date not earlier than 20 days after listing on the Commission's Daily Transportation Calendar. Western Direct Transport wrote their special contract with an effective date that is in violation of the General Order.

Special contracts must also include evidence of substantial shipper obligations in the contract. To meet this requirement, the contract must either provide for the carrier to earn \$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 fell short of his substantial shipper obligations as required by Rule 3.17 of General Order 147-C

This filing was listed on the Commission's Daily Transportation Calendar on October 26, 1992 and was suspended November 5, 1992, for 30 days.

NOV 23 1992

This order is issued \_\_\_\_\_, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 12

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-85,967-04 )  
Amendment 3 )  
Forrest Freeze Trucking, Inc. )  
1056 E. Childs Ave. )  
Merced, CA 95340 )

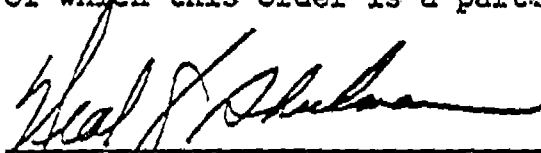
Order Canceling Rate

(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-85,967-04 with Phillips 66 Company is ordered canceled and will not go into effect November 26, 1992.

An Expired contract is considered canceled on the expiration date unless an amendment has been filed extending the agreement in accordance with General Order 147-C, Rule 6.12. The original contract expired April 28, 1992. This filing was listed on the Commission's Daily Transportation Calendar on October 21, 1992, and was suspended on October 26, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission



Order No. OCR 13

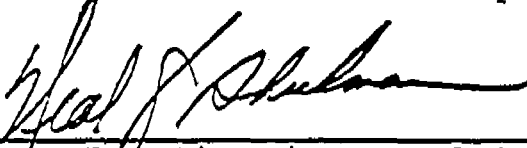
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-84,649-504	)	
Amendment 4	)	Order Canceling Rate
Viking Freight System, Inc.	)	
411 E. Plumeria Drive, Suite 148	)	(Filing Numbered Same as
San Jose, CA 95134	)	Order Number above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Amendment 4 to Special Contract T-84,649-504 with Control Master Products will not go into effect December 2, 1992.

An expired contract is considered canceled on the expiration date unless an amendment has been filed extending the agreement in accordance with General Order 147-C, Rule 6.12. The original contract expired July 21, 1991. This filing was listed on the Commission's Daily Transportation Calendar on October 29, 1992 and was suspended on November 2, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 14

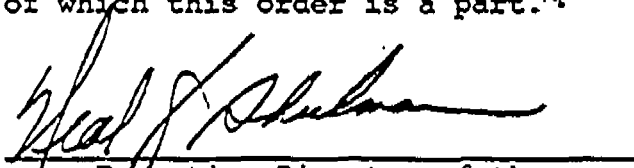
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-149,343-12 )	Order Canceling Rate
San Diego Express, Inc. )	
P. O. Box 13159 )	(Filing Numbered Same as
San Diego, CA 92170 )	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-149,343-12 with Zep Manufacturing is ordered canceled and will not go into effect December 9, 1992.

Rule 8.2 of General Order 147-C states that special contract rate filings must cite an effective date not earlier than 20 days after listing on the Commission's Daily Transportation Calendar. San Diego Express, Inc., wrote their contract with an effective date that is in violation of the General Order. The contract filing was listed on the Commission's Daily Transportation Calendar on November 5, 1992 and was suspended November 9, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 15

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-136,734-56 )  
Pete Kooyman Trucking, Inc. )  
P. O. Box 1330 )  
Stockton, CA 95201 )

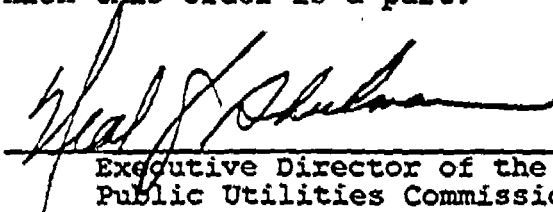
Order Canceling Rate  
(Filing Numbered Same as  
Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-136,734-56 with Fontana Paper is ordered canceled and will not go into effect November 30, 1992.

Special contracts must include evidence of substantial shipper obligations in the contract. To meet this requirement, the contract must either provide for the carrier to earn \$1,000.00 per month for delivered transportation services, or the contract must call for substantial shipper obligations not normally provided under common carrier tariff rates by the carrier.

The carrier failed to provide in the contract evidence of substantial shipper obligations as required by Rule 3.17 of General Order 147-C. The contract was listed on the Commission's Daily Transportation Calendar on October 26, 1992 and was suspended on October 30, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
Executive Director of the  
Public Utilities Commission

Order No. OCR 16

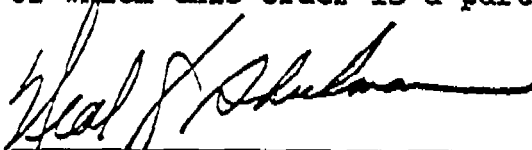
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-138,741-127 )	Order Canceling Rate
Gold Transportation, Inc. )	
P. O. Box 948 )	(Filing Numbered Same as
Murietta, CA 92362 )	Order Number Above)
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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-138,741-127 with Holiday Printing is ordered canceled and will not go into effect December 6, 1992.

Special Contract T-138,741-127 provides for collect-on-delivery (C.O.D.) shipments. Our records, however, do not indicate that it has a C.O.D. bond on file as required by Rule 2 of General Order 84-H. This filing was listed on the Commission's Daily Transportation Calendar on November 5, 1992 and was suspended November 6, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 17

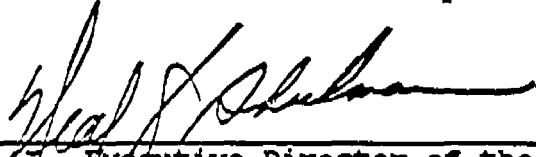
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-138,741-128 )	Order Canceling Rate
Gold Transportation, Inc. )	
P. O. Box 948 )	(Filing Numbered Same as
Murietta, CA 92362 )	Order Number Above)
_____ )	

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-138,741-128 with Heyco is ordered canceled and will not go into effect December 6, 1992.

Special Contract T-138,741-128 provides for collect-on-delivery (C.O.D.) shipments. Our records, however, do not indicate that it has a C.O.D. bond on file as required by Rule 2 of General Order 84-H. This filing was listed on the Commission's Daily Transportation Calendar on November 5, 1992 and was suspended November 6, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 18

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA


Special Contract T-138,741-129 )	Order Canceling Rate
Gold Transportation, Inc. )	
P. O. Box 948 )	(Filing Numbered Same as
Murietta, CA 92362 )	Order Number Above)

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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-138,741-129 with United Brass is ordered canceled and will not go into effect December 6, 1992.

Special Contract T-138,741-129 provides for collect-on-delivery (C.O.D.) shipments. Our records, however, do not indicate that it has a C.O.D. bond on file as required by Rule 2 of General Order 84-H. This filing was listed on the Commission's Daily Transportation Calendar on November 5, 1992 and was suspended November 6, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission

Order No. OCR 21

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-151,597-6 )	Order Canceling Rate
Barnes Trucking )	
1817 S. Fresno Avenue )	(Filing Numbered Same as
Stockton, CA 95206 )	Order Number Above)

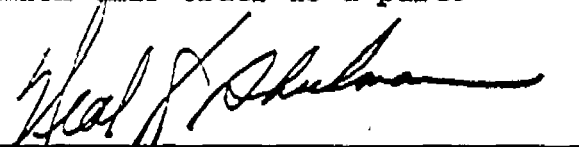
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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-151,597-6 with Sun Diamonds is ordered canceled and will not go into effect December 6, 1992.

Special Contracts must include evidence of substantial shipper obligations in the contract. To meet this requirement, the contract must either provide for the carrier to earn \$1,000.00 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 3.17 of General Order 147-C. This contract was listed on the Commission's Daily Transportation Calendar on November 5, 1992, and was suspended on November 6, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission

Order No. OCR 22

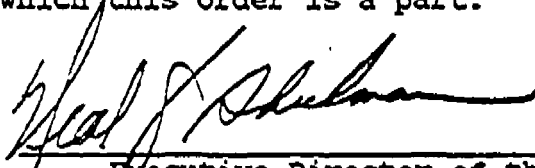
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-144,376-3	)	Order Canceling Rate
Missouri-Nebraska Express, Inc.	)	
P. O. Box 939	)	(Filing Numbered Same as
St. Joseph, MO 64502	)	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Common Carrier Contract T-144,376-3 with Kellogg Company is ordered canceled and will not go into effect December 16, 1992.

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. Missouri-Nebraska Express, Inc., does not hold a highway contract carrier permit. This filing was listed on the Commission's Daily Transportation Calendar on November 5, 1992, and was suspended on November 16, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission



Order No. OCR 23

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

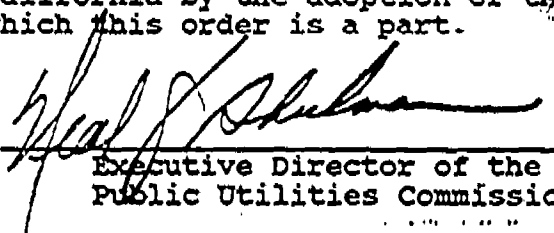
Special Contract T-155,519-4 )	Order Canceling Rate
Steve's Delivery Service )	
3263 Alford Street )	(Filing Numbered Same as
Lemon Grove, CA 91945 )	Order Number Above)

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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-155,519-4 with Arts & Crafts was ordered canceled and will not go into effect on November 30, 1992.

General Order 147-C, Rule 8.2 specifies that the contract is effective not earlier than 20 days after listing on the Commission's Daily Transportation Calendar. Special Contract T-155,519-4 states that it was effective seven days prior to filing with the Commission. Rule 6.6(i) requires each special contract contain such explanatory statements as are necessary to remove all reasonable doubt as to its proper application. Special Contract T-155,519-4 is vague in several instances. Rule 11.4 requires that the contract contain a description of the method by which distance shall be computed. Special Contract T-155,519-4 contains no methodology for determining mileages. This filing was listed on the Commission's Daily Transportation Calendar on October 22, 1992, and was suspended on October 30, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
Executive Director of the  
Public Utilities Commission

Order No. OCR 24

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA


Special Contract T-173,084-21 )	Order Canceling Rate
National Freight, Inc. )	
71 West Park Avenue )	(Filing Numbered Same as
Vineland, NJ 08360 )	Order Number Above)

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-173,084-21 with Richter Manufacturing is ordered canceled and will not go into effect November 30, 1992.

General Order 147-C, Rule 6.6(c) requires that each contract contain the date the contract was executed, the effective date, and the duration of the contract. Special Contract T-173,084-21 does not specify either the date executed or a termination date. Rule 8.2 specifies that the agreement is effective not earlier than 20 days after listing on the Commission's Daily Transportation Calendar. Special Contract T-173,084-21 states that it is effective upon filing.

This filing was listed on the Commission's Daily Transportation Calendar on October 22, 1992, and was suspended on October 30, 1992 for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of Resolution No. OCR-1058 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission

Order No. OCR 25

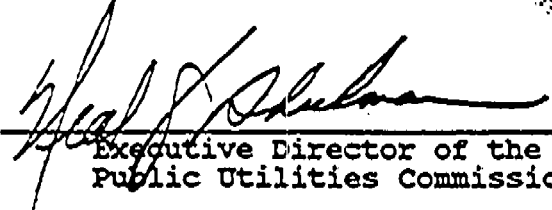
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-171,884-1 )	Order Canceling Rate
Amendment No. 1 )	
Walter Thomas Mullen )	(Filing Numbered Same as
703 N. Oak Street )	Order Number Above)
Ukiah, CA 95482 )	
_____ )	

In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-171,884-1, Amendment No. 1, with Ward-Way Lumber Co., is ordered canceled and will not go into effect December 9, 1992.

Rule 8.2 of General Order 147-C states that special contract rate filings must cite an effective date not earlier than 20 days after listing on the Commission's Daily Transportation Calendar. Walter Thomas Mullen filed the above cited contract with an effective date that is in violation of the General Order. The contract was listed on the Commission's Daily Transportation Calendar on October 30, 1992, and was suspended on November 9, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission

Order No. OCR 26

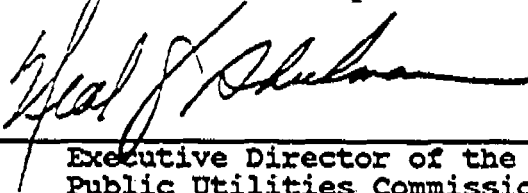
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Special Contract T-140,218-6691	)	Order Canceling Rate
Amendment No. 1	)	
Con-Way Western Express, Inc.	)	(Filing Numbered Same as
12903 Lakeland Road	)	Order Number Above)
Santa Fe Springs, CA 90670	)	
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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-140,218-6691, Amendment No. 1 with Zurn Industries is ordered canceled and will not go into effect December 6, 1992.

A special contract must contain those requirements set forth in Rule 6.10 of General Order 147-C necessary to clearly and effectively amend the original contract. This contract amendment did not contain the necessary documentation or signatures in order to add additional shippers to the original contract. This filing was listed on the Commission's Daily Transportation Calendar on October 30, 1992, and was suspended on November 6, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
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Executive Director of the  
Public Utilities Commission

Order No. OCR 27 .

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

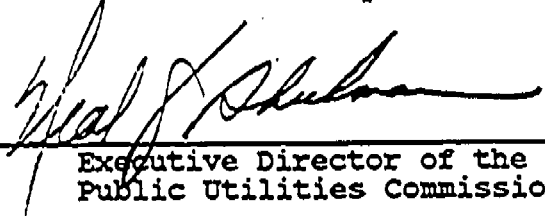
Special Contract T-167,967-1 )	Order Canceling Rate
Mimar Trucking )	
640 The Village, #103 )	(Filing Numbered Same as
Redondo Beach, CA 90277 )	Order Number Above)

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In conformity with the findings and order made by the Commission in a resolution entered this day, Special Contract T-167,967-1 with Superior Sod is ordered canceled and will not go into effect December 9, 1992.

Rule 8.2 of General Order 147-C states that special contract rate filings must cite an effective date not earlier than 20 days after listing on the Commission's Daily Transportation Calendar. Mimar Trucking filed the above cited contract with an effective date that is in violation of the General Order. The contract was listed on the Commission's Daily Transportation Calendar on October 30, 1992, and was suspended on November 9, 1992, for 30 days.

This order is issued NOV 23 1992, by the Public Utilities Commission of the State of California by the adoption of the Resolution No. OCR-1058 of which this order is a part.

  
\_\_\_\_\_  
Executive Director of the  
Public Utilities Commission.