

BY
FOX RIVER

T-1

Resolution No. STD- 1104

TRANSPORTATION DIVISION
TARIFF & LICENSE BRANCH
Tariff Section

Before the Public Utilities Commission
of the State of California

RESOLUTION ORDERING DISPOSITION OF
SPECIAL TARIFF DOCKET REQUESTS

Requests as identified hereinafter have been filed on the Special Tariff Docket for authority to make tariff changes for which permission of the Commission is requisite under provisions of the Public Utilities Code or orders of the Commission. Due consideration has been given to the representations contained in the verified requests, and good cause appearing, the following findings and order are made:

The Commission finds that the following requests are justified and should be granted subject to conditions specified in the orders which are attached hereto and by this reference made a part hereof:

<u>Request and Order No.</u>	<u>Request Filed By:</u>
STD-9941	Armadillo Trucking, Inc.

ASSOCIATION

INDUSTRIAL

FOX RIVER

The Commission finds that the following requests do not contain sufficient justification for the authority sought, and therefore should be denied without prejudice:

Request and
Order No.

Request Filed By:

None

The Commission finds that the following requests are of a nature not suitable for processing on the Special Tariff Docket, and therefore should be dismissed without prejudice:

Request and
Order No.

Request Filed By:

None

EXCEPTION

EXCEPTION

BY

IT IS ORDERED that the aforesaid requests are granted, denied or dismissed, as the case may be, in accordance with the findings hereinbefore set forth, and as specified in the orders which are attached hereto and by this reference made a part hereof.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California, held on the 24th day of June , 1987 , the following Commissioners voting favorably thereon.

STANLEY W. HULETT
President
FREDERICK R. DUDA
JOHN B. OGANIAN
Commissioners

Commissioner Donald Vial, being necessarily absent, did not participate.

Commissioner G. Mitchell Wilk, being necessarily absent, did not participate.


Executive Director of the
Public Utilities Commission of the State of California

Order No. STD-9941

Before the Public Utilities Commission of the State of California

Request filed by:

ARMADILLO TRUCKING, INC.

} Special Tariff Docket
Request Numbered Same as
Order Number Above.

In conformity with the findings and order made by the Commission in a resolution entered this day, the request, copy of which is attached hereto and by this reference made a part hereof, is granted, subject to the following conditions:

NONE

The authority herein granted is limited strictly to its terms, and shall expire unless the tariff provisions authorized herein are published and filed in the San Francisco office of this Commission within ninety days after the date hereof. The item of tariff or supplement issued pursuant to this order shall bear reference to this order in substantially the following form:

"Authorized by Cal. P.U.C. Order No. STD- 9941."

This order issued June 24, 1987, by the Public Utilities Commission of the State of California by the adoption of the resolution of which this order is a part.



Executive Director of the
Public Utilities Commission of the State of California

Memorandum

Date : June 8, 1987

To : The Commission
(Meeting of June 24, 1987)

From : Public Utilities Commission—San Francisco

Robert E. Walker
-- Robert E. Walker, Principal
Tariff & License Branch

File No.:

Subject: T-1

SPECIAL TARIFF DOCKET RESOLUTION NO. 1104

STD-9941 - Armadillo Trucking, Inc.

Transferee of a cement certificate requests authority to amend the scope of its existing Local Freight Tariff No. 1 by adding the new counties acquired through the transfer, in lieu of adopting the bureau tariff participation of transferor.

Recommended Denial

None

Recommended Dismissal

None

REC'D
PUBLIC UTILITIES COMM.
STATE OF CALIF.
MAY 26 1 32 PM '87

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Application of Armadillo Trucking,)
Inc., (T-155019) for authority to) Application
publish rates of transferor in Local) -SPF-Docket No. STD
Freight Tariff No. 1 of Armadillo) 9941
Trucking, Inc. containing rates and)
charges for the transportation of)
cement.)

APPLICATION

The application of Armadillo Trucking, Inc., hereinafter referred to as Armadillo or applicant, respectfully shows:

I

Applicant is a corporation. Applicant's mailing address is Post Office Box 9396, Fresno, California 93792. Applicant's telephone number is (209) 225-3664. A certified copy of applicant's Articles of Incorporation is provided as Attachment I.

II

Correspondence and communications in regard to this application are to be addressed to:

Rod Logan
Sam Miles, Inc.
2124 F Street, Suite B
Bakersfield, California 93301
Telephone (805) 324-1663

III

Applicant is a private carrier operating under compensated intercorporate hauling exemption pursuant to General Order 146-A, transporting shipments for its parent corporation. The Commission has recently approved a transfer of cement carrier certificates for Armadillo

to serve Kern and Fresno Counties. Local Freight Tariff No. 1 of Armadillo Trucking, Inc. was filed on May 8, 1987, to be effective May 21, 1987, and contains rates for this transportation.

On April 8, 1987, an application was filed with the Commission License Section to transfer a Cement Carrier Certificate for Madera, Mariposa, Merced, Solano, Tulare, and Tuolumne Counties from Universal Transport System, Inc. (T-45200) to Armadillo Trucking, Inc.

IV

General Order 117-A would require Armadillo to adopt the tariff publication of Universal Transport System, Inc. upon the approval of the transfer of operating rights by the Commission. Applicant hereby seeks authority to publish rates for the transportation of cement to Madera, Mariposa, Merced, Solano, Tulare, and Tuolumne Counties at the same level of rates now published by transferor, Universal Transport System, Inc., with such rate publication to be made in Local Freight Tariff No. 1 of Armadillo Trucking, Inc.

V

The purpose of such a request is to simplify applicant's tariff filings, not to effect any increase or reduction in charges. Without such authority, applicant would need to become a member of Western Motor Tariff Bureau in order to adopt the tariff participation of Universal Transport System, Inc. With the grant of the authority sought in this application, applicant will be able to provide rates for all its cement carrier transportation service in its already-existing individual tariff.

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TARIFFS & LICENSES DIVISION
MAY 26 1987
TARIFF SECTION

VI

Applicant's tariff contains rates at the same level as those currently in effect for the transferor and would have the same rules applicable to these rates. Applicant intends to amend Local Freight Tariff No. 1 to the degree necessary to reflect the rate level of transferor should such amendments be necessary. In no event would the rate changes resulting from the publication of the additional operating authority in Local Freight Tariff No. 1 instead of transferor's tariff amount to as much as one percent of the carrier's annual revenue generated from the additional operating authority.

VII

This is not a major action under Sections 3502.1 and 3502.2 of the California Public Utilities Code.

VIII

Applicant alleges that the cost of reproducing and distributing copies of this application to all carriers operating in the state of California would be excessive and that adequate notice of the intent of applicant will be accomplished through routine publication in the Commission's Daily Transportation Calendar. Therefore, in order to secure just, speedy and inexpensive determination of the issues present, waiver of Rule 21F of the Rules of Practice and Procedure respectfully requested under Rule 87 of the Rules of Practice and Procedure. Applicant knows of no opposition to this application. copy of this application will be served by first-class mail to any party upon request.

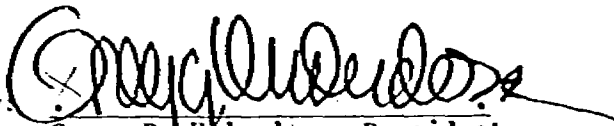
TARIFF SECTION

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SAN FRANCISCO & LOS ANGELES DIVISION

WHEREFORE applicant prays that relief sought by this application be granted; and that the Commission issue its ex parte order permitting applicant to publish in its individual tariff the rates of transferor, Universal Transport System, Inc. for the transportation of cement to Madera, Mariposa, Merced, Solano, Tulare and Tuolumne Counties; that increases resulting in an increase in applicant's gross revenue as a highway common carrier of not more than one percent be authorized; that said order provide that the tariff be made effective within ten days of its publication; that departure from Sections 460 and 461.5 of the Public Utilities Code be authorized to the extent necessary to apply the increase granted; and that the Commission grant such other order and further relief as may be reasonable and proper.

Executed on 5-19-87, at Fresno, California.

By: 
Gregg R. Underdown, President
ARMADILLO TRUCKING
P. O. Box 9396
Fresno, CA 93792

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MAY 26 1987
TARIFF SECTION

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STATE OF CALIF.

MAY 28 1 33 PM '87

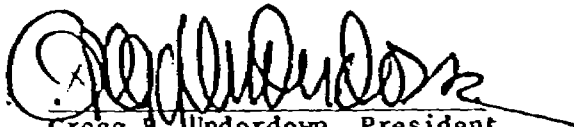
Attest
Notary Public
State of California

VERIFICATION

I am an officer of the applicant and am authorized to make this Verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to matters therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

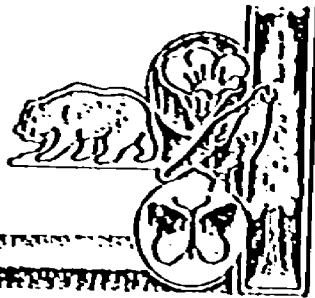
Executed on 5.19.87, at Fresno, California.

By: 
Gregg A. Underdown, President
ARMADILLO TRUCKING
P. O. Box 9396
Fresno, CA 93792

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CALIFORNIA CUSTOMS SERVICE
FRESNO OFFICE
MAY 28 1987
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STATE OF CALIF.

MAY 26 1 33 PM '07



State
Of
California
OFFICE OF THE SECRETARY OF STATE

I, *MARCH FONG EU*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the record on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this

MAR 21 1986



March Fong Eu

Secretary of State

TARIFF SECTION

MAY 26 1986

RECEIVED DEPARTMENT OF REVENUE
TAXES AND FEES DIVISION
SAN FRANCISCO

1526128

ATTACHMENT 1
Page 2

ENDORSED
FILED
In the office of the Secretary of State
of the State of California

ARTICLES OF INCORPORATION
OF
ARMADILLO TRUCKING, INC.

MAR 12 1986

MARCH 10 1986, Secretary of State

FIRST: The name of this corporation is Armadillo Trucking, Inc.

SECOND: The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California, other than the banking business, the trust company business, or the practice of a profession permitted to be incorporated by the California Corporations Code.

THIRD: The name and address in this state of the corporation's initial agent for service of process is Gregg R. Underdown, 6537 North Sequoia, Fresno, California 93711.

FOURTH: The total number of shares which the corporation is authorized to issue is Ten Thousand (10,000).

Dated: March 10, 1986.


Gregg R. Underdown

Sole Incorporator

I hereby declare that I am the person who executed the foregoing Articles of Incorporation, which execution is my act and deed.


Gregg R. Underdown

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MAY 26 1987
TAXPAYER SECTION

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CALIF. PUBLIC UTILITIES COM. DIV.
DIVISION OF BUSINESS ORGANIZATION

HIBER & LUCICH
ATTORNEYS AT LAW
IMPERIAL SAVINGS BUILDING
2155 TULARE STREET
FRESNO, CALIF. 93721-2142