

4/8 T-2

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution TS-677
Transportation Division

(RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR)
(TO GRANT REQUESTS FOR EXTENSIONS OF TIME)

Under the Public Utilities Code and the Commission's administrative orders, highway carriers of property, freight forwarders, express corporations, motor transportation brokers, commercial air operators, for-hire vessel operators, and vessel common carriers of property (collectively referred to herein as carriers) are required to file reports and documents, submit fees, taxes or other payments, file tariffs and contracts, and/or to take other actions within specified time periods.

Occasionally carriers indicate that because of circumstances beyond their control, they are unable to timely make the required filings or that they desire additional time to reflect changed conditions in their reports. The Commission recognizes that many valid reasons exist to support extensions of time. Reasonable delays may enhance the quality of the required filings, particularly where the delays are not essential to our programs and will not significantly disadvantage other parties.

The processing of noncontroversial requests for extensions of time via the Commission's agenda imposes an unnecessary burden on the Commission's time. These routine matters are ministerial functions which can be delegated to the Commission's staff.

Findings of Fact

1. Under the statutes and the Commission's administrative orders, carriers are required to submit fees, taxes, reports, documents and other filings by specified dates.
2. Certain of the dates specified for the submission of information or fees and taxes are not essential to the operation of programs administered by the Commission.
3. The grant of requests for extension of time to make required filings involving routine noncritical matters is a ministerial function which can be delegated to the Commission staff.

Conclusion of Law:


The Executive Director should be delegated authority to grant requests for extensions of time to make required filings as referred to in the following order.

IT IS ORDERED that:

1. The Executive Director is authorized to grant requests for extensions of time required for the following filings:
 - a) Quarterly Reports of Gross Operating Revenue and fees and penalties required by Section 5001, et. seq. of the Public Utilities Code (Transportation Rate Fund Act).
 - b) Reports, fees and penalties required under Section 4301, et. seq. of the Public Utilities Code (Highway Carriers' Uniform Business License Tax Act).
 - c) Carrier Profile Information reports (Form CHP 362), required to be filed by highway carriers of property for the California Highway Patrol's MISTER Program (Management Information System of Terminal Evaluation Records).
 - d) Highway common carrier and cement carrier tariff filings.
2. The authority granted by this resolution shall not apply to dates or time periods for filings required by the Commission's program for reregulation of transportation established by Decisions 86-04-015 and 86-12-102.
3. The authority granted by this resolution may be exercised only when the carrier certifies under penalty of perjury that it is unable to timely make the required filing because of circumstances beyond its control, or that the requested delay will materially increase the value of the filing to the Commission.

I certify that the foregoing resolution was duly introduced, passed and adopted at a meeting of the Public Utilities Commission of the State of California, held on APR 8 1987. The following Commissioners voted favorably.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DJUDA
G. MITCHELL WILK
JOHN B. CHANIAN
Commissioners


Executive Director