

General Order 146-A
(Supersedes General Order 146)

Public Utilities Commission of the
State of California

RULES IMPLEMENTING COMPENSATED INTERCORPORATE HAULING
EXEMPTION FOR HIGHWAY CARRIERS OF PROPERTY.

Adopted September 22, 1982. Effective October 22, 1982.
Decision 82-09-086 in OIR 3.

Amended January 12, 1983. Effective January 12, 1983.
Decision 83-01-004; OIR 3.

1. *Carriers subject to the order:* This General Order applies to any highway carrier which holds or requires operating authority from this Commission, that engages in transportation of property for compensation over the public highway for another corporation when the carrier and the corporation for which the transportation is provided are members of the same corporate family, as defined in paragraph 2 below. (This General Order does not apply when none of the participating members hold or require operating authority issued by this Commission. Eligible corporate families in which none of the participants are under the jurisdiction of this Commission may engage in Compensated Intercorporate Hauling and are not subject to this General Order.)
2. *Definitions:* (a) Corporate Family means a parent corporation and all subsidiary corporations in which the parent corporation owns, directly or indirectly, a 100% interest. (b) Compensated Intercorporate Hauling (CIH) means transportation of property for compensation over the public highways by a corporation for another corporation when both such corporations are members of the same corporate family. The definition of the word "corporation" is set out in Public Utilities Code Section 3507.
3. *Scope:* Compensated transportation service by a member of a corporate family for other members of the same corporate family (Compensated Intercorporate Hauling) is exempt from Commission transportation rate and operating authority regulation established under provisions of the Public Utilities Code, subject to notice requirements. To qualify for the exemption, companies must be members of the corporate family in which the parent owns, directly or indirectly, 100% interest in the subsidiaries.
4. *Applicability:* Highway carrier operations under the CIH referred to in paragraph 3 are now exempt. The notice required by this General Order must be filed with the Commission immediately.
5. *Notification:* Whenever a corporation seeks to initiate exempt CIH it shall submit the following statement to the Commission's Transportation Division:

"NOTICE OF INTENT TO ENGAGE IN COMPENSATED
INTERCORPORATE HAULING OPERATIONS AS
AUTHORIZED BY GENERAL ORDER 146-A

"This is to provide notice as required by General Order 146-A that
the named corporations intend to provide or use compensated

intercorporate hauling operations as authorized in such general order.

- "1. Name of parent corporation and address of principal office.
- "2. Wholly owned subsidiaries which will participate in the operations, and address of their respective principal offices as listed below:
 - "a.
 - "b.
 - "c.

"All notices shall be submitted by the parent of the corporate family, by or for whose members proposed compensated intercorporate hauling operations are to be performed. The notice shall include the following affidavit from a person legally qualified to act on behalf of the parent corporation:

"I affirm that _____ is a corporation which directly or indirectly owns a 100% interest in the subsidiaries participating in compensated intercorporate hauling under General Order _____, listed in the attached notice."

6. Changes in Participation in CIH:
 - a. If the parent intends that an additional subsidiary participate in CIH, it must file an updated notice.
 - b. Whenever the interest which a corporation owns in a subsidiary participating in CIH becomes less than 100%, operations under General Order 146-A, by or for that subsidiary, must be discontinued at once, and the parent must file an updated notice within 10 days.
7. *Filing Fees:* A notice required by General Order 146-A, to engage in compensated intercorporate hauling or to change such notice on file with the Commission shall be accompanied by a fee of \$150.
8. *Engagement of Subhaulers:* Subhaulers as defined in General Order Series 102 shall not be engaged to provide transportation services subject to this General Order.
9. *Daily Calendar:* Notices of Intent to Engage in Compensated Intercorporate Hauling Operations and any changes shall be listed in the Commission's Daily Transportation Calendar.

Dated September 22, 1982, at San Francisco, California.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

By JOSEPH E. BODOVITZ
Executive Director