

ORIGINAL

Decision No. 42547

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of V. SUGLIO for certificate
to operate as a highway common carrier
of fresh berries, fruits and produce
(returning empty containers), between
San Francisco and Oakland and points in
Santa Clara County located along
U. S. Highway No. 101, between Sunnyvale
and Gilroy, etc..

Application No. 27961

ORDER REVOKING OPERATIVE RIGHT

It appearing that by Decision No. 40532, of July 22, 1947, in Application No. 27961, et al., V. Suglio was authorized to establish and operate a service as a highway common carrier, as defined by Section 2-3/4 of the Public Utilities Act, limited to the transportation of fresh berries, fruits and produce to San Francisco and Oakland from all points and places located along U.S. Highway 101 between Sunnyvale and Gilroy, in Santa Clara County, including off-route points located within 10 miles of said highway between Sunnyvale and Edenvale, and off-route points located within 5 miles of said highway between Edenvale and Gilroy; and limited also to the transportation of empty containers returning from San Francisco and Oakland to the points in Santa Clara County hereinabove described; it further appearing that investigations during February 1949 by the Field Division confirm the unauthorized discontinuance by the said carrier of all operations and services under the said operative right as hereinbefore described; that said carrier has closed his terminal and his telephone service has been discontinued; that the radial highway common carrier, highway contract and city carrier permits held by

this carrier have been revoked as of January 27, 1949, for failure to pay the quarterly fees due pursuant to the provisions of the Transportation Rate Fund Act (Stats. 1935, Ch. 683, as amended); that all of the equipment herein involved has been either repossessed by the finance company or otherwise disposed of; that no application has been made for any suspension of said operative right and no such permission has been granted; and it being found that the entire operations and services of said carrier, as authorized by the aforesaid decision, have been discontinued without authority of the Commission, thereby resulting in abandonment of said operative right; therefore, good cause appearing,

IT IS ORDERED that the above-mentioned entire operative right of V. Suglio, for the transportation of property as a highway common carrier to, from, or between the points and places and over the routes hereinbefore described, be and the same is hereby revoked and all effective tariffs and time tables on file are hereby cancelled and annulled.

IT IS FURTHER ORDERED that the effective date of this order shall be the twentieth day after service thereof in the manner provided by law, unless said V. Suglio, before such effective date, shall have filed with the Commission a written response to this order denying the statements set forth herein and requesting public hearing thereon, in which event the effective date of this order will be stayed until hearing is had and further order issued.

Dated at San Francisco, California, this 23rd day of February, 1949.

R. B. [Signature]
Justus J. [Signature]
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Commissioners