ORIGINAL

Decision No. <u>A3453</u>

In the Matter of the Application of BERKELEY TRANSPORTATION COMPANY, a corporation, for authority to alternate motor vehicle equipment with boats and barges in the transportation of property for-hire.

In the matter of the Application of BERKELEY TRANSPORTATION CO., a corporation, for permission to operate motor trucks as a common carrier of property between Alameda, Berkeley, Emeryville and Oakland, on the one hand, and San Francisco, on the other hand, and between San Francisco and San Quentin as an alternate route by water. Application No. 22956

Application No. 24632.

ORDER REVOKING OPERATIVE RIGHT

It appearing that Decision No. 36311, of April 27, 1943, in the above numbered applications, granted Berkeley Transportation Company, a corporation, a temporary certificate of public convenience and necessity to operate as a highway common carrier, as defined in Section 2-3/4 of the Public Utilities Act, for the transportation of property between its dock in San Francisco and its dock in Berkeley, in service alternate and supplemental to its existing transportation service by vessel between the same points as more specifically described and restricted therein; and it further appearing from recent investigations by the Commission's staff that the transportation services so authorized are no longer being rendered, and applicant having advised the Commission in writing, dated May 27, 1949, as follows:

> "In accordance with your letter dated March 9, 1949, please be advised that the Berkeley Transportation Company is no longer conducting for-hire operations as a Highway Common Carrier, authorized under Decision 36311, dated April 27, 1943, or as a Radial Highway Common Carrier and Highway Contract Carrier under permits issued June 10, 1940.

"We request, therefore, the revocation of the above mentioned Certificate of Public Necessity and Convenience and permits and the cancellation of all tariffs and time schedules pertaining thereto.

"The Berkeley Transportation Company, however, is still operating as a common carrier by water, and as a for-hire vessel operator, desires to retain all operative rights in connection with such operations."

Therefore, good cause appearing, it is found that the said Berkeley Transportation Company, a corporation, is no longer conducting any of the transportation services authorized in the aforesaid decision and that no application for the suspension of any of the operations under said operative right has been made and none has been granted, thereby resulting in the abandonment of said operative right.

IT IS ORDERED that the above mentioned entire operative right of Berkeley Transportation Company, a corporation, to, from, or between the docks and places as aforesaid, be and the same is hereby revoked and all effective tariffs and time schedules on file with this Commission 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 the said Berkeley Transportation Company, or its duly authorized representative, before such effective date, shall have filed with the Commission a written response to this order, denying the statements set forth herein and requesting a public hearing thereon, in which event the effective date of this order shall be stayed until hearing is had and further order is issued.

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Dated at San Arancisco, California, this 26th July _____, 1949. day of _ てる

Justus J. Ciaerie Tautile Ň to, 1 10

Commissioners