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**ORIGINAL**

Decision No. 54816

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
Monticello Utility Corporation, a  
California corporation, to sell and  
transfer and E. F. Gardner, an indi-  
vidual, to purchase the passenger  
stage service of said corporation.

Application No. 28644

ORDER REVOKING OPERATIVE RIGHTS

It appearing that pursuant to Commission Decision No. 40634 dated August 26, 1947, in the above proceeding, E. F. Gardner was authorized to and has acquired the operative rights of a passenger stage corporation and of a highway common carrier issued by Decision No. 29139 dated September 28, 1936 in Application No. 20762 and Decision No. 33144 dated May 28, 1940 in Application No. 23363 between Monticello and Winters, Davis, Sacramento, Napa and intermediate points; that by the construction of Monticello Dam the town of Monticello and the entire Berryessa Valley have been eliminated as a source of revenue of this carrier; that by letter dated February 27, 1957, E. F. Gardner advised the Commission that he has abandoned service because the area inundated was the source of 70 percent of his revenue; and that the Commission staff after the receipt of this letter made a study of Mr. Gardner's books and operations and determined that during 1956 his gross revenue was \$5,602.03 and his operating expense amounted to \$8,998.85; therefore, it is found that E. F. Gardner has discontinued and abandoned operations under his operating authority.

IT IS ORDERED that the certificates of public convenience and necessity acquired pursuant to said Decision No. 40634 and

issued by said Decision No. 29139 and by Decision No. 33144 are revoked and all effective tariffs and timetables on file in the name of E. F. Gardner are hereby canceled.

The Secretary is directed to cause a copy of this order to be served upon E. F. Gardner.

The effective date of this order shall be the twentieth day after service of a copy hereof upon E. F. Gardner, unless said E. F. Gardner before such effective date shall have filed with this Commission a written response requesting a public hearing thereon, in which event the effective date of this order will thereby be stayed until hearing is had and further order issued.

Dated at San Francisco, California, this 9<sup>th</sup> day of APRIL, 1957.

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President  
[Signature]  
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Commissioners