

**ORIGINAL**Decision No. 55201

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
GEORGE A. DONALDSON and JOHN C. TYLER,	)	
copartners, doing business as BASIN	)	
VACUUM TRUCK SERVICE for a certifi-	)	
cate of public convenience and neces-	)	Application No. 36500
sity to operate vacuum tank trucks as	)	(First Supplemental)
a petroleum irregular route carrier	)	
in the State of California.	)	

ORDER OF REVOCATION

George A. Donaldson and John C. Tyler, doing business as Basin Vacuum Truck Service, at the present time are owners, as a co-partnership, of a certificate of public convenience and necessity authorizing said partnership to operate as a petroleum irregular route carrier, as defined in Sections 214 and 3514 of the Public Utilities Code, of petroleum and petroleum products in vacuum tank trucks between points in Kern, Ventura, Orange and Los Angeles counties. This certificate was granted by Decision No. 51454 in Application No. 36500 on May 10, 1955.

It now appears that the partnership has terminated and that George A. Donaldson is operating the business as an individual. The Commission has been advised that Radial Highway Common Carrier and City Carrier Permits previously issued to the partnership were transferred on April 24, 1956 to said George A. Donaldson and that the transfer was made to George A. Donaldson, doing business as "George A. Donaldson Vacuum Truck Service."

This Commission has advised Mr. Donaldson that it would be necessary for him to file an application to transfer the above-mentioned operating rights from the partnership to himself, as an

individual, in order to operate the service as an individual. As of this date no proper application has been received by this Commission requesting authority to transfer the above-mentioned certificate. The bodily injury and property damage liability insurance issued to the partnership expired on February 8, 1957.

In view of the foregoing circumstances, the Commission finds that the partnership holding the above-mentioned operative right has discontinued operations as a partnership. The Commission further finds that no proper application has been filed to transfer such operative right and that sufficient time has elapsed since the termination of the partnership in which to file for such a transfer. Present operations, being conducted by Mr. George A. Donaldson in his individual capacity, are without authority from this Commission and are therefore unlawful.

Therefore, good cause appearing,

IT IS ORDERED that the certificate of public convenience and necessity created by Decision No. 51454, dated May 10, 1955, to George A. Donaldson and John C. Tyler, copartners, doing business as Basin Vacuum Truck Service, to operate vacuum tank trucks as a petroleum irregular route carrier, is hereby revoked, and that George A. Donaldson and John C. Tyler, are hereby directed to cause to be canceled, on not less than five days' notice to the Commission and to the public, the participation in agency tariffs naming rates and rules governing the operation herein involved and to which the partnership or Basin Vacuum Truck service is a party.

The Secretary of the Commission is hereby directed to cause a certified copy of this order to be served upon George A. Donaldson and the Basin Vacuum Truck Service in the manner prescribed by law.

The effective date of this order shall be the twentieth day after lawful service thereof unless George A. Donaldson and Basin Vacuum Truck Service before such effective date shall have filed with this Commission a written response to this order denying the facts set forth herein and requesting a public hearing thereon, in which event the effective date of this order shall hereby be stayed until a hearing is held and a further order is issued.

Dated at San Francisco, California, this 2<sup>nd</sup> day of July, 1957.

John E. [Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners