

Decision No. 56014

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)	
own motion into the operations,)	
rates and practices of MITCHELL)	Case No. 5941
BROS. TRUCK LINES, a corporation.)	

SUPPLEMENTAL OPINION AND ORDER

On May 14, 1957, the Commission issued an order of investigation into the operations, rates and practices of Mitchell Bros. Truck Lines. On November 19, 1957 the Commission issued Decision No. 55861 wherein it found this carrier guilty of certain rate violations. This decision suspended respondent's radial highway common carrier permit and city carrier permit for a period of ten days.

On November 29, 1957, respondent filed a petition for modification of this decision. By this petition, respondent is requesting that the Commission modify its decision, ~~deleting there-~~ from the order suspending respondent's city carrier permit.

As justification for this request, respondent points out that the violations found to have been committed by respondent involved shipments transported pursuant to respondent's radial highway common carrier permit only. Likewise, these shipments were not shipments whose points of origin and destination were both located in the City of Crescent City or the immediately surrounding area.

As further justification for its request, respondent alleges that it is the only common carrier domiciled in Crescent City performing a general commodity transportation service for the shippers in Crescent City.

After full consideration of respondent's request and after a thorough investigation in this matter, it is the Commission's conclusion that its order in Decision No. 55861 will result in undue hardship to the local shippers in Crescent City and the immediately surrounding area, which shippers were not involved in the violations found to have been committed by respondent. Solely for the reason of alleviating this undue hardship on these innocent shippers, the Commission is modifying Decision No. 55861 in the manner set forth in the following order.

A petition having been filed, the Commission being fully informed therein and good cause appearing,

IT IS HEREBY ORDERED that paragraphs 1 and 2 of the order contained in Decision No. 55861 be amended to read as follows:

1. That the radial highway common carrier permit issued to Mitchell Bros. Truck Lines, a corporation, by this Commission, be and it hereby is suspended for ten consecutive days commencing at 12.01 a.m. on the second Monday following the effective date hereof; provided, however, that this suspension shall not apply to respondent's operations between Crescent City, on the one hand, and points within three miles of Crescent City, on the other hand.

2. That Mitchell Bros. Truck Lines shall post, immediately at its terminal and station facilities used for receiving property from the public for transportation, a notice to the public stating that its radial highway common carrier permit has been suspended

by the Commission for a period of ten days, except as to operations between points specified in paragraph 1 of this order.

This order shall become effective on the date hereof.

Dated at Los Angeles, California, this 20th day of December, 1957.

[Signature]
President
[Signature]
[Signature]
[Signature]

Commissioners