

ORIGINAL

Decision No. 58145

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
 own motion into the operations,)
 rates, and practices of STERLING)
 TRANSIT COMPANY, INC.)

Case No. 6175

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 58029, dated February 17, 1959, in the above-entitled proceeding, the respondent's highway common carrier certificate, radial highway common carrier permit and highway contract carrier permit were suspended with respect to certain shippers for a period of three days. The respondent misunderstood the language of the decision and suspended its operations with respect to these shippers for three days commencing March 2, 1959. Subsequently it became aware that under the terms of the decision the suspension period should not begin to run until March 23, 1959.

Although the respondent may have been negligent, Decision No. 58029 will be modified in part to show that the suspension period ordered will be the period that the respondent actually suspended his operations. To require two suspensions would be an undue hardship and would result in a double penalty. Therefore,

IT IS ORDERED that ordering paragraph No. 1 of Decision No. 58029 is amended in part to read as follows:

" 1. That, commencing at 12:01 a.m. on March 2, 1959, Sterling Transit Company, Inc., whether operating as a highway common carrier, radial highway common carrier, or highway contract carrier, shall not serve the following named companies or their successors or agents, either as consignees or consignors, for a period of three days:

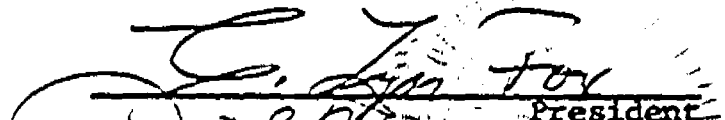
Ford Motor Company
Interchemical Corporation
Wesco Water Paint Company
Safeway Stores, Inc.

Ball Brothers
Fiat Metal Manufacturing Co.
Pittsburg Plate Glass Co.


This prohibition shall be considered as a partial suspension of this respondent's certificates of public convenience and necessity to operate as a highway common carrier and its permits to operate as a radial highway common carrier and as a highway contract carrier."

The effective date of this order shall be the date hereof.

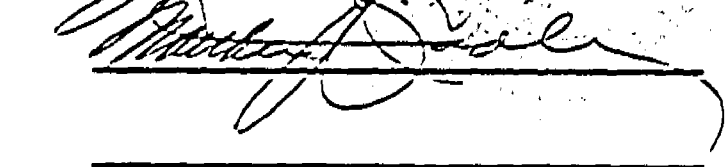
Dated at San Francisco, California, this 20th day of March, 1959.



President



Commissioner



Commissioner

Commissioners