

ORIGINAL

Decision No. 58435

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
IRVING D. OSBURN And HARRY M. DITMORE,	)	
partners doing business as B AND O SERVICE	)	
COMPANY, and IRVING D. OSBURN, RUSSELL K.	)	
POWELL and GAIL TURLEY, partners doing	)	Application No. 39554
business as B AND O SERVICE COMPANY, for	)	
authority for the former to transfer, and	)	
the latter to acquire, certain operative	)	
rights, equipment and other property.	)	

ORDER VACATING SUSPENSION OF OPERATIVE RIGHTS

Decision No. 58245, dated April 7, 1959, in this proceeding, provided for the suspension of the certificate of public convenience and necessity of Irving D. Osburn, Russell K. Powell and Gail Turley, partners, unless prior to the effective date of that decision applicants shall have filed evidence of adequate liability insurance, in which event the order would be stayed. Applicants filed the required evidence of insurance prior to the effective date of the decision in question, thereby staying the effective date. Inasmuch as evidence of adequate insurance is on file, the order of suspension in Decision No. 58245, supra, will be vacated.

Applicants Irving D. Osburn, Russell K. Powell and Gail Turley are hereby placed on the notice that operations conducted without adequate evidence of insurance on file with this Commission is a violation of General Order No. 100A. It is emphasized that the filing of evidence of insurance with a retroactive effective date to cover the period when evidence of insurance protection was not on file with the Commission does not meet the

requirements of that general order. In the event applicants should operate in the future without having evidence of liability insurance on file with the Commission, consideration will be given to possible penalty or other action.

Therefore, good cause appearing,

IT IS ORDERED that Decision No. 58245, dated April 7, 1959, in Application No. 39554, is hereby vacated and set aside.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 19th day of May, 1959.

I concur  
Matthew P. Dooley  
Matthew P. Dooley, Commissioner  
Date MAY 20 1959

E. Lee Fox  
President

Theodore J. ...

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Commissioners