

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of EDWARD J. FOURNIER of
P. O. Box 72, Downieville, California,
and Frank A. Misner of P. O. Box 47,
Downieville, California, to transfer
from Edward J. Fournier to Frank A.
Misner, all of Edward J. Fournier's
right, title and interest in Decision
No. 39570, and all of Edward J. Fournier's
right, title and interest in Decision
No. 39661 of the Public Utilities
Commission of the State of California.)
Application No. 39252

ORDER VACATING SUSPENSION OF OPERATIVE RIGHTS

Decision No. 58319, dated April 28, 1959, in this proceeding, suspended the certificate of public convenience and necessity of Frank A. Misner, effective May 12, 1959, due to his not having on file adequate liability insurance as required by General Order No. 100A. Applicant filed the required evidence of insurance May 18, 1959, with a retroactive effective date of May 8, 1959. Inasmuch as evidence of adequate insurance is on file, the order of suspension in Decision No. 58319, supra, will be vacated.

Applicant Frank A. Misner is hereby placed on 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 a period when evidence of insurance protection was not on file with the Commission does not meet the requirements of that general

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order. In the event applicant 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. 58319, dated April 28, 1959, in Application No. 39252, is hereby vacated and set aside.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 2nd
day of June, 1959.

E. J. Fox
President
W. L. [illegible]
[illegible]
Commissioners