

**ORIGINAL**

Decision No. 58721

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GLENN E. BARNES and	)	
ANITA BARNES (Barnes Trucking Service),	)	
to transfer a highway common carrier	)	Application No. 37671
certificate to MERVIN E. LEE (Lee	)	
Trucking Co.)	)	

ORDER REVOKING OPERATIVE RIGHTS

Mervin E. Lee, doing business as Lee Trucking Co., holds a certificate as a highway common carrier for the transportation of general commodities from Petaluma and Santa Rosa to Covelo, and livestock from Covelo to South San Francisco, pursuant to Decision No. 52727, dated March 6, 1956, in this proceeding. On May 22, 1959, the Commission wrote applicant, informing him that he had not filed amendments to his tariffs required by Decisions Nos. 58109 and 58110 dated March 10, 1959, in Cases Nos. 5432 (Petition No. 104) and 5435 (Petition No. 15), in connection with the transportation of furniture as described in Western Classification No. 76. By letter, dated June 2, 1959, applicant has requested that he be authorized to discontinue his certificated operations. He states that his volume of business does not justify the cost of maintaining his certificate.

In the circumstances, it appears, and the Commission finds, that public convenience and necessity no longer require the operations of Mervin E. Lee as a highway common carrier between the points set forth above. The certificate of public convenience and necessity acquired by Decision No. 52727, supra, will be revoked. All effective tariffs and powers of attorney on file with the Commission by Mervin E. Lee will be canceled.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That the certificate of public convenience and necessity acquired by Mervin E. Lee by Decision No. 52727, dated March 6, 1956, in Application No. 37671, is revoked.

(2) That Mervin E. Lee Local Freight Tariff No. 2, Cal. P.U.C. No. 2, and Local Freight Tariff No. 1, Cal.P.U.C. No. 1 (series of Arnold W. Ogle, Vard A. Ogle and John W. Banks, d/b/a Banks and Ogle), are hereby canceled.

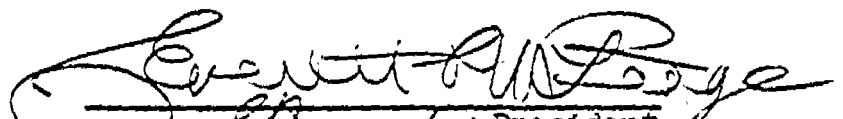

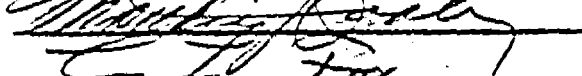
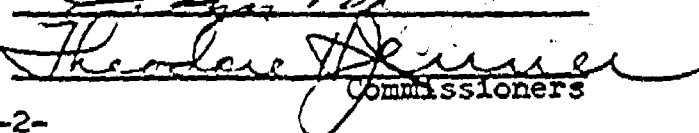
(3) That Frank K. Clifford, Agent, and Western Classification Committee, Agent, are authorized and directed to cancel, on not less than five days' notice to the Commission and to the public, the participation of Mervin E. Lee from their tariffs on file with this Commission.

(4) That Powers of Attorney AF1 Nos. 1 and 2, issued by Arnold W. Ogle, Vard A. Ogle and John W. Banks, d/b/a Banks and Ogle, in favor of John M. Desch, Agent, and George H. Dumas, Agent, respectively, and AF1 No. 1, issued by Glenn E. and Anita Barnes, dba Barnes Trucking Service, in favor of Frank K. Clifford, Agent, are hereby canceled.

The Secretary of the Commission is hereby directed to cause a certified copy of this order to be served upon Mervin E. Lee.

The effective date of this order shall be the twentieth day after service thereof upon Mervin E. Lee, unless before such effective date, he shall have filed with this Commission a written response to this order denying the facts set forth herein, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 7<sup>th</sup> day of July, 1959.

  
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President  
  
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Commissioners