

Decision No. 58810

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FRANK L. NOLAN (Jr.), an individual,)
doing business as FRANK NOLAN DRAYAGE)
CO., for a certificate of public con-)
venience and necessity to operate as)
a highway common carrier.)

Application No. 35417

ORDER SUSPENDING OPERATIVE RIGHTS

Frank L. Nolan and Mary F. Bartholomew, copartners, doing business as Frank Nolan Drayage Co., possess a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of general commodities with certain exceptions between points in the San Francisco-East Bay Cartage Zone, as described in Appendix "A" to Decision No. 51026, dated January 25, 1955, in this proceeding.

The radial highway common carrier and city carrier permits of Frank L. Nolan and Mary F. Bartholomew were revoked June 8, 1959, for failure to pay fees for the fourth quarter of 1958, and also for failure to file a report of gross operating revenue and to pay fees for the first quarter of 1959.¹

In the circumstances, it appears, and the Commission finds, that the certificate of public convenience and necessity should be suspended pending further order. In addition, all tariffs issued by or on behalf of Frank L. Nolan and Mary F. Bartholomew shall be suspended pending further order. A copy of this order shall be filed with said tariffs in the office of the Commission.

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Section 5007 of the Public Utilities Code of the State of California provides in part: "If any transportation agency referred to in this chapter is in default in the payment of the fees prescribed, other than filing fees, for a period of 30 days or more, the Commission may suspend or revoke any certificate of public convenience and necessity, permit, or license of such agency ..."

Therefore, good cause appearing,

IT IS ORDERED:

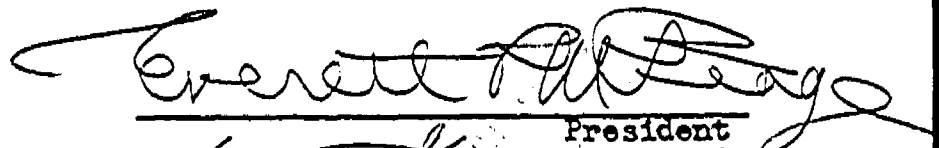
(1) That the certificate of public convenience and necessity granted to Frank L. Nolan and Mary F. Bartholomew by Decisions Nos. 51026 and 51531, dated January 25, 1955, and May 31, 1955, respectively, in Application No. 35417, is suspended pending further order.

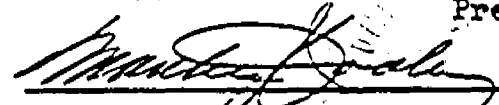
(2) All tariffs issued by or on behalf of Frank L. Nolan and Mary F. Bartholomew are suspended pending further order. A copy of this order shall be filed with said tariffs in the office of the Commission.

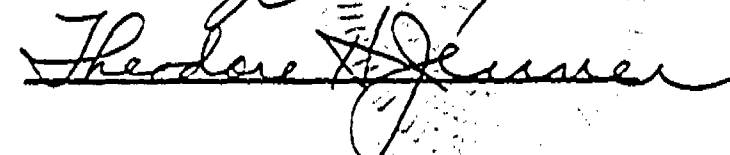
The Secretary is directed to cause a certified copy of this order to be served upon Frank L. Nolan and Mary F. Bartholomew and a copy of this order to be mailed to C. R. Nickerson, Agent, and Western Classification Committee, Agent.

The effective date of this order shall be the twentieth day after such service, unless before such effective date Frank L. Nolan and Mary F. Bartholomew shall have filed with this Commission the statements and fees prescribed in Section 5003 of the Public Utilities Code, in which event the effective date of this order shall be stayed until further order of the Commission.

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



President




Commissioners