

60321

Decision No. \_\_\_\_\_

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

|                                       |                       |
|---------------------------------------|-----------------------|
| In the Matter of the Application )    |                       |
| of HENRY SHERRY, for a certificate )  |                       |
| of public convenience and necessity ) | Application No. 36052 |
| to operate property transportation )  |                       |
| service between San Francisco and )   |                       |
| Marin County. )                       |                       |

ORDER REVOKING OPERATIVE RIGHTS

Henry Sherry, doing business as Ace Truck Lines, possesses a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of alcoholic liquors, wine and glassware between San Francisco and various points located in Marin County.

By Decision No. 59009, dated September 15, 1959, in Application No. 41284, Henry Sherry was authorized to suspend his certificated highway common carrier service until April 15, 1960.

The Commission is in receipt of a cancellation notice, dated April 12, 1960, from Western Classification Committee, Agent, addressed to Henry Sherry notifying him that his participation in Western Classification No. 77 would be terminated and canceled effective July 12, 1960. By letter from the Secretary of the Commission, dated April 26, 1960, Henry Sherry was placed on notice that, unless the required classification was filed and made effective before July 12, 1960, his certificate would be subject to suspension or revocation pursuant to lawful procedures. By letter to the Commission dated April 29, 1960, the carrier now requests that his certificate be revoked.

In the circumstances, it appears, and the Commission finds, that public convenience and necessity no longer require the operations of Henry Sherry as a highway common carrier between the points shown above. His certificate will, therefore, be revoked. All effective powers of attorney of Henry Sherry on file with the Commission will be canceled. His tariff agents will be authorized and directed to cancel

his tariffs.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That the certificate of public convenience and necessity to operate as a highway common carrier granted to Henry Sherry by Decision No. 52103, dated October 18, 1955, in Application No. 36052, is hereby revoked.

(2) That C. R. Nickerson, Agent, and Western Classification Committee, Agent, are hereby authorized and directed to cancel, on not less than five days' notice to the Commission and to the public, the participation of Henry Sherry, doing business as Ace Truck Lines, from their tariffs or classifications on file with this Commission within ninety days after the effective date of this order.

(3) That the powers of attorney issued by Henry Sherry in favor of C. R. Nickerson, Agent, and Western Classification Committee, Agent, are hereby canceled.

The Secretary of the Commission is directed to cause personal service of a certified copy of this order to be made upon Henry Sherry, and to mail a copy thereof to C. R. Nickerson, Agent, and Western Classification Committee, Agent.

The effective date of this order shall be the twentieth day after service thereof upon Henry Sherry 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 28<sup>th</sup> day of June, 1960.

\_\_\_\_\_  
President

*[Signature]*  
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Commissioners