

ORIGINAL

Decision No. 60911

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own
motion into the operations, rates and
practices of Merl F. Winter, doing
business as San Joaquin Trucking Company.)

Case No. 6476

Le Roy F. Parker, for respondent.

Hugh N. Orr, for the Commission staff.

O P I N I O N

This is an investigation on the Commission's own motion into the operations, rates and practices of Merl F. Winter, who does business as San Joaquin Trucking Company. The order instituting investigation was filed March 9, 1960, and is concerned with Highway Contract Carrier Permit No. 39-5594.

A public hearing was held in Stockton, on September 13, 1960, before Examiner Rowe at which time evidence was adduced and the matter duly submitted for decision.

From the evidence of record the Commission finds that respondent has acted in violation of Public Utilities Code Sections 3664 and 3667 by charging and collecting and receiving a lesser compensation for the transportation of property over the public highways than the applicable minimum charges prescribed in Minimum Rate Tariff No. 2.

Respondent's permit is presently under suspension at his request and he indicated that he has no intention of renewing operations as he is presently engaged in another occupation.

It is further found that because of his violations his operative authority, being Highway Contract Carrier Permit No. 39-5594, should be revoked.

ORDER

A public hearing having been held and based upon the evidence therein adduced,

IT IS ORDERED that Highway Contract Carrier Permit No. 39-5594 issued to respondent Merl F. Winter is canceled and revoked.

The Secretary of the Commission is directed to cause personal service of this order to be made upon Merl F. Winter and this order shall be effective twenty days after the completion of such service upon respondent.

Dated at San Francisco, California, this 18th day of OCTOBER, 1960.

[Signature]
President

[Signature]
[Signature]

Theodore Jenner
Commissioners