

ORIGINAL

Decision No. 61011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
W. H. Gilbert to sell Certificate)
of Public Convenience and Necessity)
for the transportation of ducks and)
geese between Tulalake, California,)
and Dorris, California, to Chester)
Stonecypher, Jr., under the provi-)
sions of Section 851-853 of the)
Public Utilities Code.)

Application No. 37803

ORDER VACATING SUSPENSION OF OPERATIVE RIGHTS

Decision No. 60746, dated September 13, 1960, in this proceeding, provided for the suspension of the certificate of public convenience and necessity of Chester Stonecypher, Jr., doing business as The Mallard, unless prior to the effective date of that decision he shall have filed evidence of adequate liability insurance, in which event the order would be stayed. The effective date of the decision was September 26, 1960, on which date the certificate became suspended. Chester Stonecypher, Jr., filed the required evidence of insurance on October 13, 1960, retroactive to September 6, 1960. Inasmuch as evidence of adequate insurance is now on file, the order of suspension in Decision No. 60746, supra, will be vacated and the rights under his certificate to operate as a highway common carrier will be reinstated.

Chester Stonecypher, Jr., is hereby placed on notice that operations conducted without adequate evidence of insurance being on file with this Commission is a violation of General Order No. 100A. The carrier is reminded that the filing of evidence of insurance with a retroactive effective date to cover all or a portion of the period when evidence of insurance protection was not on file with the Commission does not meet the requirements of that general


order. In the event he 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.

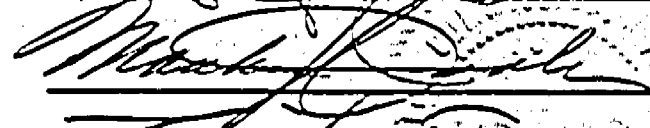
Therefore, good cause appearing,


IT IS ORDERED that Decision No. 60746, dated September 13, 1960, in Application No. 37803, is hereby vacated and set aside.


This order shall become effective on the date hereof.

Dated at San Francisco, California, this 7th day of November, 1960.



President






Commissioners