

Decision No. 61285

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
DUDLEY T. PRESCOTT for a certificate )	
of public convenience and necessity )	
as a petroleum irregular route car- )	
rier to operate a vacuum tank truck )	Application No. 35326
service within a radius of fifty )	
miles from base of operations, with )	
emergency service to all areas in the )	
State of California being developed or )	
explored for oil. )	

ORDER REVOKING OPERATIVE RIGHTS

Dudley T. Prescott holds a certificate of public convenience and necessity to operate as a petroleum irregular route carrier with vacuum-type tank trucks and trailers between points in Ventura and Santa Barbara Counties and a portion of Los Angeles County.

By Decision No. 59950, dated April 19, 1960, in this proceeding, the certificate was suspended for failure to have evidence of liability protection required by General Order No. 100A on file with this Commission. The certificate of liability protection has not been reinstated.

Dudley T. Prescott has not filed quarterly reports since the third quarter of 1959 and has not paid his quarterly fees since that time. Section 5007 of the Public Utilities Code provides for revocation of any certificate of public convenience and necessity when the carrier is in default in the payment of fees. Furthermore, the report for the third quarter of 1959 stated that he was "out of business as of June 30, 1959." His radial highway common carrier permit was revoked for cessation of operations on November 10, 1959.

The required evidence of liability protection not being on file, quarterly fees not having been paid, the carrier apparently having abandoned all operations, and the Commission being of the opinion and finding that such failure and abandonment constitutes good cause for revocation of the certificate and cancellation of the tariffs applicable to services thereunder,

IT IS ORDERED:

(1) That the certificate of public convenience and necessity to operate as a petroleum irregular route carrier granted to Dudley T. Prescott by Decision No. 50327, dated July 27, 1954, in Application No. 35326, is hereby revoked.


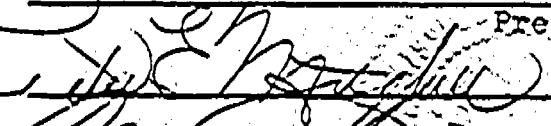

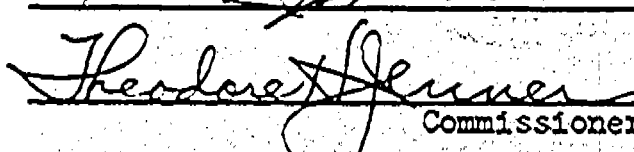
(2) That Power of Attorney AF1 No. 1 issued by Dudley T. Prescott in favor of C. R. Nickerson, Agent, is hereby canceled.

(3) That C. R. Nickerson, Agent, is hereby authorized and directed to cancel the participation of Dudley T. Prescott from his tariffs on file with this Commission, said cancellation to be made within 90 days after the effective date of this order, and on not less than five days' notice to the Commission and the public.

The Secretary is directed to cause service of a certified copy of this order to be made upon Dudley T. Prescott and to mail a copy of this order to C. R. Nickerson, Agent.

The effective date of this order shall be the thirtieth day after service upon Dudley T. Prescott, unless before such effective date there shall have been filed with this Commission a written response to this order denying the facts set forth herein, or requesting public hearing, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 24<sup>th</sup> day of December, 1960.

  
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President  
  
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Commissioners