

Decision No. 62503

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WILLIAM C. WHITE, an individual, doing)
business as INTER-VALLEY TRANSPORTATION,) Application No. 40164
for a certificate of public convenience)
and necessity as a highway common carrier.)

ORDER SUSPENDING OPERATIVE RIGHTS

William C. White, doing business as Inter-Valley Transportation, possesses a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of general commodities between Fresno, on the one hand, and various San Joaquin Valley points, on the other hand.

The Commission received cancellation notices dated April 19, and May 5, 1961, addressed to White whereby C. R. Nickerson, Agent, and Western Classification Committee, Agent, notified him that his participation in various tariffs and the classification would be canceled on dates specified.¹ Subsequently, by letters from the Secretary of the Commission, White was placed on notice that his highway common carrier operative rights would be subject to suspension or revocation, pursuant to lawful procedures should he fail to maintain tariffs and a classification in effect. The publishing agents have filed with this Commission tariff revisions canceling the participation of White from the tariffs and the classification on August 1 and August 15, 1961, respectively. The carrier has not filed tariffs or a classification to replace the canceled tariffs and classification.

1 The tariffs are Local and Joint Freight Tariff No. 16, Cal.P.U.C. No. 19; Exception Sheet No. 1, Cal.P.U.C. No. 4; Freight Tariff No. 10, Cal.P.U.C. No. 14; and Scope of Operations Tariff No. 14, Cal.P.U.C. No. 16 of C. R. Nickerson, Agent; and the Classification is Western Classification 77 of Western Classification Committee, Agent.

Section 486 of the Public Utilities Code requires that common carriers of property file with this Commission schedules showing their rates and classifications and Section 493 of the Code provides that no common carrier shall engage or participate in the transportation of property until its schedules of rates and classifications have been filed.

The required tariffs and classification not being on file and the Commission being of the opinion and finding that such failures constitute good cause for the suspension of this carrier's certificate,

IT IS ORDERED that:

(1) The certificate of public convenience and necessity to operate as a highway common carrier granted to William C. White, doing business as Inter-Valley Transportation, by Decision No. 58297 dated April 21, 1959, in Application No. 40164 is hereby suspended pending further order.

(2) All remaining tariffs issued by or on behalf of William C. White, doing business as Inter-Valley Transportation, are hereby 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 service of a certified copy of this order to be made upon William C. White or to mail a certified copy thereof to him at his last known address as shown in the Commission's records.

The effective date of this order shall be the twentieth day after such service or after the above mailing, as the case may be, unless before such effective date William C. White shall have

filed with this Commission a written response to this order denying the facts set forth herein, or shall have filed the proper and lawful tariffs and freight classification as required by Sections 486 and 493 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 29th day of August, 1961.

President

Commissioners