

ORIGINAL

Decision No. 62874

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MELVIN L. BECK (dba Gramel Company),)
GRAMEL COMPANY, INC. and G.M.J.)
EQUIPMENT, INC. to transfer Certifi-)
cate of Public Convenience and)
Necessity from Gramel Company to)
Gramel Company, Inc., a California)
corporation, and to transfer other)
assets from Gramel Company to G.M.J.)
Equipment, Inc., a California Cor-)
poration, and of Gramel Company,)
Inc. and G.M.J. Equipment, Inc.,)
California corporations, for approval)
nunc pro tunc of their initial)
securities issue.)

Application No. 42363

ORDER RESCINDING ORDER OF REVOCATION
AND VACATING ORDER OF SUSPENSION

By Decision No. 61012 dated November 7, 1960, in this proceeding, the certificate of public convenience and necessity¹ acquired by Gramel Company, Inc., was suspended effective November 17, 1960, for failure to have on file requisite evidence² of liability insurance. Decision No. 62874 dated November 29, 1961, in this proceeding provided for the revocation of the above carrier's certificate of public convenience and necessity unless, before such effective date, there shall have been filed with this Commission a written response to the order denying the facts set

¹ Gramel's certificate authorizes service as a petroleum irregular route carrier for the transportation of petroleum and petroleum products in tank trucks and tank trailers between all points and places in the State of California.

² Decision No. 61012, supra, was issued prior to the effective date of General Order No. 100-B which now provides for automatic suspension of operative authority upon cancellation, expiration or suspension of insurance protection.

forth therein, or requesting public hearing, in which event the effective date of the order would be stayed. By letter dated December 7, 1961, Gramel Company, Inc., filed its response denying the facts set forth in Decision No. 62874, supra, thereby staying the Commission's order.

Transport Indemnity Co., the insurer of Gramel Company, Inc., filed with this Commission on December 6, 1961, certificates of insurance indicating that the above carrier has the required liability insurance.³ Inasmuch as evidence of adequate insurance is now on file, the orders of suspension and revocation in Decisions Nos. 61012 and 62874, supra, will be vacated and rescinded, respectively.

Gramel Company, Inc., 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. 100-B. 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 it 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.

Good cause appearing,

IT IS ORDERED that:

³ The insurance carrier also stated that Gramel Company has had insurance in effect since November 21, 1960. Evidence of such insurance was not on file with the Commission.

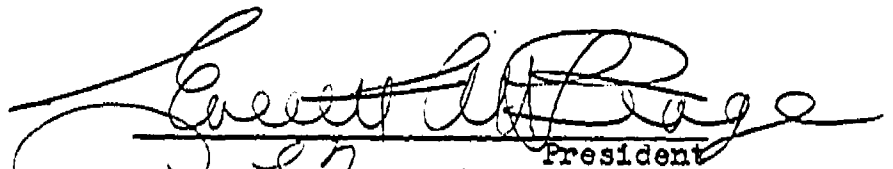
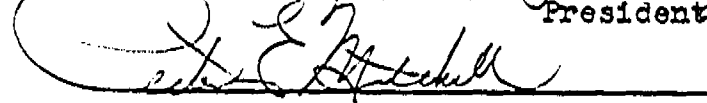



A. 42363 - ac

(1) Decision No. 62874 dated November 29, 1961, in Application No. 42363 is hereby rescinded.

(2) Decision No. 61012 dated November 7, 1960, in Application No. 42363 is hereby vacated and set aside.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 6th day of February, 1962.


President




Commissioners