

Decision No. 63307

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of FRANK L. NOLAN, an individual)	
doing business as FRANK NOLAN)	
DRAYAGE CO., for a certificate of)	Application No. 35417
public convenience and necessity)	
to operate as a highway common)	
carrier.)	

In the Matter of the Application)	
of Frank L. Nolan (Jr.) and Mary F.)	
Bartholomew, copartners doing)	
business as FRANK NOLAN DRAYAGE)	Application No. 36818
CO., to reflect change in name of)	
owner of certificates.)	

ORDER SUSPENDING OPERATIVE RIGHTS

Frank L. Nolan and Mary F. Bartholomew, copartners, doing business as Frank Nolan Drayage Co. (Nolan and Bartholomew), possess a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of general commodities between points within the San Francisco-East Bay Cartage Zone.

The Commission received a copy of a cancellation notice dated February 13, 1962, addressed to Nolan whereby C.R. Nickerson, Agent, notified him that his participation in certain tariffs¹ would be canceled effective May 21, 1962.

Subsequently, by letter from the Secretary of the Commission, Nolan and Bartholomew were placed on notice that their highway common carrier operative right would be subject to suspension or revocation, pursuant to lawful procedures, should they

¹ The tariffs are Pacific Coast Tariff Bureau Exception-Sheet No. 1, Cal.P.U.C. No. 4, and San Francisco-East Bay Cartage Zone Local Freight Tariff No. 15, Cal.P.U.C. No. 18.

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fail to maintain the tariffs in effect. The publishing agent filed with this Commission tariff revisions eliminating Nolan, and Bartholomew as a participating carrier in the tariffs effective May 21, 1962. The carrier has not filed tariffs to replace the canceled tariffs.

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 not being on file and the Commission being of the opinion and finding that such failure constitutes good cause for the suspension of this carrier's certificate,

IT IS ORDERED that:

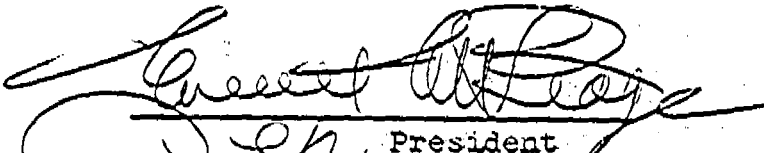
1. The certificate of public convenience and necessity to operate as a highway common carrier granted to Frank L. Nolan and Mary F. Bartholomew, copartners, doing business as Frank Nolan Drayage Co., by Decision No. 51026 dated January 25, 1955, in Application No. 35417, as amended by Ordering Paragraph 1 of Decision No. 51531 dated May 31, 1955, in Applications Nos. 35417 and 36818, is hereby suspended pending further order.

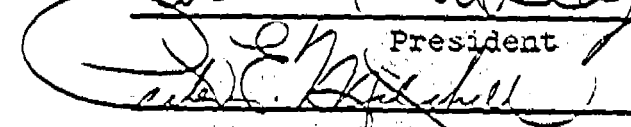
2. All otherwise effective tariff filings of such carrier filed as a highway common carrier pursuant to the certificate granted by the decisions referred to above are hereby suspended. Suspension supplements to tariff filings so suspended are not required and shall not be filed.

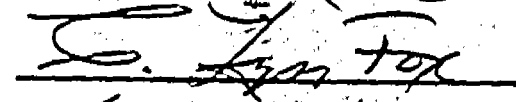
The Secretary is directed to cause service of a certified copy of this order to be made upon Frank L. Nolan and Mary F. Bartholomew or to mail a certified copy thereof to them at their last known address as shown in the Commission's records.

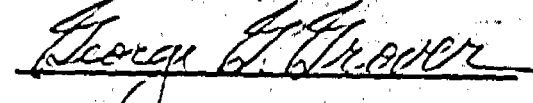
The effective date of this order shall be the twentieth day after such service or after the above mailing, as the case may be, unless before such effective date Frank L. Nolan or Mary F. Bartholomew shall have filed with this Commission a written response to this order denying the facts set forth herein, or shall have filed the proper and lawful freight tariffs 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.

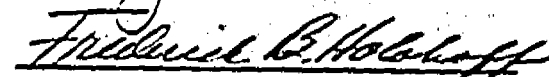
Dated at San Francisco, California, this 12th day of June, 1962.



President








Commissioners