

ORIGINAL

63810

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 (a) WATER-LAND TRUCK LINES, a corporation,)
 to sell, and of BRAKE DELIVERY SERVICE, a)
 corporation, to purchase a certificate of)
 public convenience and necessity for the)
 transportation of general commodities)
 between various points in southern)
 California, pursuant to Sections 851-853)
 of the California Public Utilities Code.)
) Application No. 41678
 (b) BRAKE DELIVERY SERVICE, a corporation,)
 to sell, and of SYSTEM TRANSPORT, a corpo-)
 ration to purchase a separate portion of)
 a certificate of public convenience and)
 necessity for the transportation of gen-)
 eral commodities between various points in)
 Los Angeles County, pursuant to Sections)
 851-853 of the California Public Utilities)
 Code.)

ORDER SUSPENDING OPERATIVE RIGHT

System Transport, a corporation, possesses a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of general commodities between all points within Los Angeles Territory.¹

The Commission received a copy of a cancellation notice dated May 23, 1961, addressed to System Transport whereby Western Classification Committee, Agent, notified it that its participation in Western Classification 77 would be canceled effective September 15, 1961.

¹ System Transport also possesses a certificate of public convenience and necessity authorizing 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. This certificate, which is not affected by this order, was acquired by Decision No. 61052 dated November 15, 1960, in Application No. 42671.

Subsequently, by letter from the Secretary of the Commission, System Transport was placed on notice that its highway common carrier operative right would be subject to suspension or revocation, pursuant to lawful procedures, should it fail to maintain a classification in effect. The publishing agent filed with this Commission a tariff revision canceling the participation of System Transport on May 15, 1962.

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 classification 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 System Transport, a corporation, by Decision No. 59643, dated February 9, 1960, in Application No. 41678, 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 decision referred to above are hereby suspended. Suspension supplements to tariff filings so suspended are not required and shall not be filed.

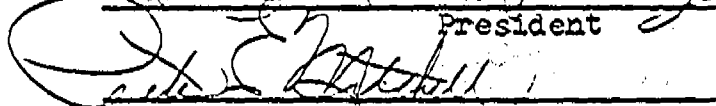
The Secretary is directed to cause service of a certified copy of this order to be made upon System Transport or to mail a


certified copy thereof to it at its last known address as shown in the Commission's records.

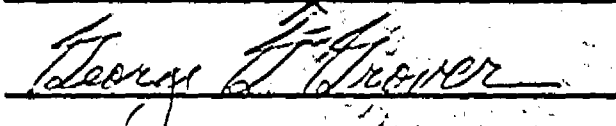
The effective date of this order shall be the twentieth day after such service or after the above mailing, as the case may be, unless before such effective date System Transport shall have filed with this Commission a written response to this order denying the facts set forth herein, or shall have filed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

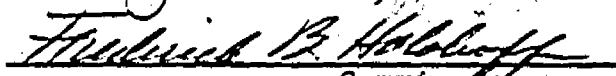
Dated at San Francisco, California, this 12th day of June, 1962.



President








Commissioners