

ORIGINAL

Decision No. 64303

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF:)
 (a) G & G TRUCKING COMPANY, a corpora-)
 tion, to purchase, and of SAM GUSINOW,)
 an individual doing business as G & G)
 TRUCKING CO., to sell, a Certificate)
 of Public Convenience and Necessity)
 for the transportation of specific)
 commodities between various points in)
 California, pursuant to Sections 851-)
 853 of the California Public Utilities)
 Code; and (b) G & G TRUCKING COMPANY,)
 a corporation, to issue shares of its)
 common capital stock pursuant to)
 Sections 816-830 of the California)
 Public Utilities Code.)

Application No. 39345

ORDER SUSPENDING OPERATIVE RIGHT

G & G Trucking Company (G & G) possesses a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of specified commodities between a defined Los Angeles Drayage Area, on the one hand, and Oakland and San Francisco, on the other hand.

The Commission received a copy of a cancellation notice dated June 6, 1962, addressed to G & G whereby Western Motor Tariff Bureau, Inc., notified it that its participation in certain tariffs would be canceled effective September 10, 1962.¹

Subsequently, by letter from the Secretary of the Commission, G & G was placed on notice that its highway common carrier operative right would be subject to suspension or

¹ The tariffs are Western Motor Tariff Bureau, Inc., Exception Sheet No. 1 and Scope of Operations and Participating Carrier Tariff No. 100, Cal.P.U.C. Nos. 10 and 3, respectively; and Distance Table No. 4 and Local, Joint and Proportional Freight Tariff No. 18-B, Cal.P.U.C. Nos. 15 and 17 (J. L. Beeler, Agent, series), respectively.

revocation, pursuant to lawful procedures, should it fail to maintain required tariffs in effect. The publishing agent filed with this Commission a tariff revision eliminating G & G as a participating carrier in the aforementioned tariffs effective September 10, 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 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 acquired by G & G Trucking Company, a corporation, by Decision No. 55529 dated September 10, 1957, as amended by Decision No. 61547 dated February 21, 1961, in Application No. 39345 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 acquired and amended 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 G & G Trucking Company 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 G & G Trucking Company shall have filed with this Commission a written response to this order requesting public hearing or shall have filed the proper and lawful 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 25th day of September, 1962.

George H. Hoover
President
John J. Ditchell
Ernest J. Fox
Everett W. Page
Fredrick B. Hulbiff
Commissioners