

Decision No. 65595

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CITIES FUEL CORPORATION, a corpora-)
tion, for a certificate of public)
convenience and necessity to operate)
as a highway common carrier for the)
transportation of commodities in)
bulk in tank trucks and trailers)
over described routes.)

Application No. 29784

In the Matter of the Application of)
CITIES FUEL CORPORATION, a corpora-)
tion, for a certificate of public)
convenience and necessity to operate)
service as a petroleum irregular)
route carrier over all public high-)
ways and between all points and)
places in the State of California,)
with certain exceptions.)

Application No. 31221

ORDER CONTINUING SUSPENSION OF OPERATIVE RIGHTS

The certificates of public convenience and necessity granted to Tankliner Service, Inc., a corporation, have been suspended since August 9, 1962, under the provisions of General Order No. 100-B for failure to have on file requisite evidence of liability insurance.¹ The carrier has not filed the required evidence of liability insurance since that date.

The Commission received a copy of a cancellation notice dated February 12, 1963, addressed to Tankliner Service, Inc., whereby Western Motor Tariff Bureau, Inc., Agent, notified it that its participation in various tariffs would be canceled effective May 17, 1963.²

¹ The certificates authorize service as a highway common carrier and as a petroleum irregular route carrier for the transportation of petroleum and petroleum products between all points in the State of California.

² The tariffs are Western Motor Tariff Bureau, Inc., Scope of Operations and Participating Carrier Tariff No. 4, Cal.P.U.C. No. 6, Distance Table No. 4, Cal.P.U.C. No. 15 (Agent J.L. Beeler series), Local Freight and Express Tariff No. 3-D, Cal.P.U.C. No. 25 (Agent Elmer Ahl series), and Local Freight Tariffs Nos. 30-A and 33-B, Cal.P.U.C. Nos. 26 and 27 (Agent Elmer Ahl series), respectively.

Subsequently, by letter from the Secretary of the Commission, Tankliner Service, Inc., was placed on notice that its certificates would be subject to suspension or revocation, pursuant to lawful procedures, should tariffs not be maintained in effect. The publishing agent filed with this Commission a tariff revision canceling the participation of Tankliner Service, Inc., on May 17, 1963. 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 evidence of liability insurance and the required tariffs not being on file and the Commission being of the opinion and finding that such failures constitute good cause for the continuation of the suspension of this carrier's certificate,

IT IS ORDERED that:

1. The certificates of public convenience and necessity to operate as a highway common carrier and as a petroleum irregular route carrier granted to Tankliner Service, Inc., a corporation, by Decisions Nos. 42623 dated March 15, 1949, and 44256 dated May 26, 1950, in Applications Nos. 29784 and 31221, respectively, as amended by Decision No. 60854 dated October 11, 1960, in Applications Nos. 29784 and 31221, are hereby continued in suspension pending further order.

2. All otherwise effective tariff schedules of such carrier filed pursuant to the certificates granted and amended by the decisions referred to above are hereby suspended. Suspension supplements to tariff schedules 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 Tankliner Service, Inc., 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 Tankliner Service, Inc., shall have filed with this Commission a written request for public hearing or shall have filed the proper and lawful tariffs 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 18th day of June, 1963.

George G. Grover
President
Carl W. Long
Frederick B. Hölhoff
William W. Brice
Commissioners