

Decision No. 6587S

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MOSES MEISELMAN, doing business as)
MANN TRUCKING CO., for a Certificate)
of Public Convenience and Necessity)
to operate as a Highway Common Car-)
rier of certain aluminum commodities,)
brass plumbing fittings and chrome)
furniture between Los Angeles and the)
Los Angeles area on the one hand and)
Long Beach, Santa Ana, Pomona, San)
Fernando, Santa Monica, and Redondo)
Beach and intermediate and off-route)
points on the other hand.)

Application No. 37726

ORDER SUSPENDING OPERATIVE RIGHT

Moses Meiselman, doing business as Mann Trucking Co. (Meiselman), possesses a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of certain commodities between Los Angeles and vicinity, on the one hand, and various points in Los Angeles Basin Territory and intermediate and off-route points, on the other hand.

On April 22, 1963, the Commission received a copy of a cancellation notice dated April 17, 1963, addressed to the carrier whereby Western Classification Committee, Agent, notified him that his participation in Western Classification 78 would be canceled effective July 20, 1963. The Commission has also received a copy of a cancellation notice dated May 10, 1963, whereby Western Motor Tariff Bureau, Inc., Agent, has advised the carrier that his participation in various of the tariff publications of that Bureau will be canceled effective August 15, 1963.¹

¹ The Western Motor Tariff Bureau, Inc., tariff publications are Exception Sheet No. 1-A, Distance Table No. 4, Local, Joint and Proportional Freight Tariff No. 17-A and Scope of Operations and Participating Carrier Tariff No. 100.

Subsequently, by letters from the Secretary of the Commission, Meiselman was placed on notice that his highway common carrier operative right would be subject to suspension or revocation, pursuant to lawful procedures, should he fail to maintain a classification and tariffs in effect. The publishing agents have filed with this Commission tariff revisions canceling the participation of Meiselman from the Classification effective July 20, 1963 and from the Western Motor Tariff Bureau tariffs effective August 15, 1963.

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 and 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 Moses Meiselman, an individual, doing business as Mann Trucking Co., by Decision No. 53447 dated July 16, 1956, in Application No. 37726, is hereby suspended pending further order.

2. All otherwise effective tariff schedules of such carrier filed pursuant to the certificate granted by the decision referred to above are hereby suspended pending further order. 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 Moses Meiselman or to mail a certified copy thereof to him at his 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 such mailing, as the case may be, unless before such effective date Moses Meiselman shall have filed with this Commission a written request for public hearing or shall have filed a proper and lawful freight classification and 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 13th day of August, 1963.

William L. Bennett
 President

George G. Crover

Frederick B. Holcomb

 Commissioners

Commissioner George G. Crover, being necessarily absent, did not participate in the disposition of this proceeding.