

ORIGINALDecision No. 66187

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of DEASE DELIVERY
SERVICE INC., doing business as
COAST DELIVERY SERVICE, to extend
suspension of its certificate of
public convenience and necessity.

Application No. 45656

O P I N I O N

Dease Delivery Service Inc., requests that its certified authority authorizing operations as a highway common carrier in the San Diego area be suspended for a period of two years.

The authority was granted to Thomas L. Dease, an individual, by Decision No. 56921 dated July 1, 1958, in Application No. 36233 and subsequently acquired by Dease Delivery Service Inc., by Decision No. 57482 dated October 21, 1958, in Application No. 40452. By Decision No. 64122 dated August 17, 1962, applicant was authorized to suspend its operations for a period of one year.

As justification for the additional two-year suspension applicant alleges that it is engaged in the transportation of property from retail establishments to their customers; that such service is performed pursuant to applicant's permitted authority and is competitive with the services performed by other permitted carriers; and that operating under a filed tariff constitutes a competitive disadvantage.

After consideration, the Commission finds that:

1. Applicant has elected to operate as a permitted carrier and has abandoned operations as a highway common carrier.

2. Applicant having made an election may not preserve to itself a certificate of public convenience and necessity by a series of suspensions.

Based on the foregoing findings, the Commission concludes that the application should be denied and the certificate granted by Decision No. 56921 should be revoked.

A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Application No. 45656 is hereby denied.
2. The operating authority granted by Decision No. 56921 in Application No. 36233 is hereby revoked and the tariffs presently on file with the Commission in the name of Dease Delivery Service, Inc., are hereby canceled.
3. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized and directed to cancel the participation of Dease Delivery Service, Inc., doing business as Coast Delivery Service, from its tariffs on file with this Commission, said cancellation to be made within ninety days after the effective date of this order and on not less than five days' notice to the Commission and to the public.

The Secretary is directed to cause service of a certified copy of this order to be made upon Dease Delivery Service, Inc., or to mail a certified copy thereof to it at its last known address as shown in the Commission's records, and to mail a copy of this order to Western Motor Tariff Bureau, Inc., Agent.

The effective date of this order shall be the thirtieth day after such service upon Dease Delivery Service, Inc., or after

