

Decision No. 66932

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own )  
motion into warehouse operative rights ) Case No. 6837  
of MERRIFIELD TRUCKING COMPANY, a )  
corporation. )

ORDER SUSPENDING OPERATIVE RIGHT

Merrifield Trucking Company, a corporation, possesses a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space at Vernon, California.

The Commission received a copy of a cancellation notice dated October 16, 1963, addressed to the above-named warehouseman whereby Jack L. Dawson, Agent, notified the warehouseman that its participation in California Warehouse Tariff Bureau Warehouse Tariff No. 28-A, Cal. P. U. C. No. 193, would be canceled effective January 21, 1964.

Subsequently, by letter from the Secretary of the Commission, dated October 22, 1963, Merrifield Trucking Company was placed on notice that its public utility warehouse operative right would be subject to suspension or revocation, pursuant to lawful procedures, should it fail to maintain a tariff in effect. The publishing agent filed with this Commission a tariff revision canceling the participation of Merrifield Trucking Company from the tariff effective January 21, 1964. No substitute tariff has been filed by the warehouseman.

Section 489 of the Public Utilities Code requires that warehousemen, among others, file with this Commission schedules showing their rates and classifications.

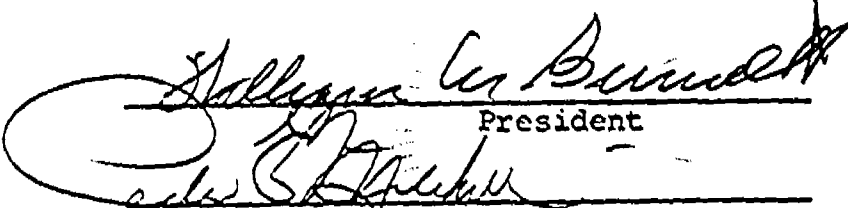

The required tariff not being on file and the Commission being of the opinion and finding that such failure constitutes good cause for the suspension of this warehouseman's operative right,

IT IS ORDERED that the public utility warehouse operative right possessed by Merrifield Trucking Company, a corporation, as determined by the order of the Commission dated August 16, 1960, in Case No. 6837, is hereby suspended pending further order.

The Secretary is directed to cause service of a certified copy of this order to be made upon Merrifield 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 such mailing, as the case may be, unless before such effective date Merrifield Trucking Company shall have filed with this Commission a written request for public hearing or shall have filed a proper and lawful tariff as required by Section 489 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 10<sup>th</sup> day of March, 1964.

  
\_\_\_\_\_  
President  
  
\_\_\_\_\_

\_\_\_\_\_  
Commissioners

-2- Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.