

ORIGINAL

Decision No. 67286

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
EMMETT AIKEN for certificate of )	
public convenience and necessity to )	
operate as an Irregular Route Petro-	
leum Carrier, or such other type of )	Application No. 31137
Carrier the Commission may deem )	
advisable or necessary to operate )	
through the State of California. )	

ORDER REVOKING OPERATIVE RIGHT

The certificate of public convenience and necessity granted to Emmett Aiken has been suspended since March 6, 1963, for failure to have on file requisite evidence of liability insurance.<sup>1</sup> The tariffs of this carrier were canceled by its publishing agent effective July 1, 1963.<sup>2</sup> The carrier was placed on notice by letter, dated March 20, 1963, from the Secretary of the Commission, that should he fail to maintain tariffs in effect his highway common carrier operative right would be subject to suspension or revocation pursuant to lawful procedures.

<sup>1</sup> The certificate authorizes service as a petroleum irregular route carrier for the transportation of petroleum and petroleum products in tank trucks and tonk trailers between all points and places in the State of California.

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

Emmett Aiken having failed to have on file the required tariffs and evidence of liability insurance, the Commission is of the opinion and finds that such continued failure constitutes good cause for revocation of the certificate.

IT IS ORDERED that the certificate of public convenience and necessity to operate as a petroleum irregular route carrier granted to Emmett Aiken by Decision No. 44567, dated July 25, 1950, in Application No. 31137, is hereby revoked.

The Secretary is directed to cause service of a certified copy of this order to be made upon Emmett Aiken 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 thirtieth day after such service upon Emmett Aiken or after the above mailing to Emmett Aiken, as the case may be, unless before such effective date there shall have been filed with this Commission a written request for public hearing, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 26th day of May, 1964.

William L. Bernds  
President

Robert H. ...

George L. ...

Fredrick B. Halaloff  
Commissioners