

Decision No. 67922**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WEBSTER TANK TRUCK SERVICE, INC., a corporation, of Santa Fe Springs, for a certificate to operate as a cement carrier (Application No. T-70, 122, CMT-6), San Diego County, et al., (File No. T-70, 122).

APPLICATION  
NO. 46542

ORDER AMENDING RESOLUTION NO. 13821 AND  
DENYING REHEARING

Pursuant to ex parte Resolution No. 13821, Sub. No. 47, applicant was granted cement carrier authority to operate to and within specified counties, including the County of Shasta. Applicant has filed a petition alleging that the documentary proof submitted with his application did not include proof of operation within Shasta County but did show operations within the County of Riverside. Applicant therefore prays that said Resolution No. 13821 be amended to delete Shasta and include Riverside County in the authority granted.

Applicant's petition also requests that hearing be held relative to the authority to serve other counties requested in the original petition. Transportation to these counties was admittedly not within the "grandfather" period but at a prior time as shown by shipping documents attached as Exhibit "B" to said application.

Applicant has alleged that failure to operate in such other counties during the "grandfather" period resulted from certain rebating techniques by which other carriers have monopolized available business as specified in the original application; that he

did not practice such business methods and thus was not operating in those counties during the "grandfather" period. In support of his claim to authority in additional counties, applicant has submitted shipping documents (Exhibit "B" of application) showing prior transportation therein. The most recent shipment to counties for which authority was sought but not granted, however, was in 1959, a shipment to Hanford, Kings County. The Legislature has fixed the "grandfather" period, and applicant's proof shows no operation for many years prior thereto in the additional counties for which a certificate was sought.

Good cause appearing, IT IS ORDERED, that Sub. No. 47 of page page 5 of the attachment to Resolution No. 13821 is hereby amended to read as follows:

"47. A-46542, T-70, 122, WEBSTER TANK TRUCK SERVICE, INC., Kern, Los Angeles, Orange, San Bernardino, San Diego, Riverside, and Ventura."

IT IS FURTHER ORDERED that rehearing in Resolution No. 13821, as modified herein, is hereby denied.

Dated at Los Angeles, California, this 30th day of SEPTEMBER, 1964.

Frederick B. Holmquist  
President

Stanley L. Holmquist

George J. Crow

Halwarder Burns

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Commissioners

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