

ORIGINAL

Decision No. 68094

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
motion into warehouse operative)
rights of Cecil H. Fowler and)
Hazel Del F. Fowler, doing business)
as C. H. FOWLER WAREHOUSE &)
ELEVATOR.)

Case No. 6814

ORDER SUSPENDING OPERATIVE RIGHT

Cecil H. Fowler and Hazel Del F. Fowler, doing business as C. H. Fowler Warehouse & Elevator, possess a prescriptive operative right as a public utility warehouseman at Stratford, California.

The Commission received a copy of a cancellation notice dated July 1, 1964, addressed to the warehouseman whereby Jack L. Dawson, Agent, notified them that their participation in California Warehouse Tariff Bureau Warehouse Tariff No. 38, Cal.P.U.C. No. 203, would be canceled effective October 15, 1964.

By letter from the Secretary of the Commission dated July 10, 1964, Cecil H. Fowler and Hazel Del F. Fowler were placed on notice that their certificate would be subject to suspension or revocation, pursuant to lawful procedures, should they fail to maintain a tariff in effect. The publishing agent filed with this Commission a tariff revision canceling the participation of Cecil H. Fowler and Hazel Del F. Fowler from the tariff effective October 15, 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.

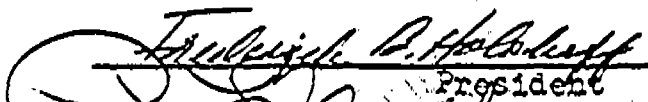
The required tariff not being on file and the Commission finding that such failure constitutes good cause for the suspension of the prescriptive operative right involved,

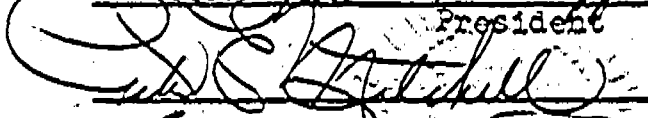
IT IS ORDERED that the public utility warehouse operative right possessed by Cecil H. Fowler and Hazel Del F. Fowler, doing business as C. H. Fowler Warehouse & Elevator, as determined by the order of the Commission dated August 16, 1960, in Case No. 6814, is hereby suspended pending further order.

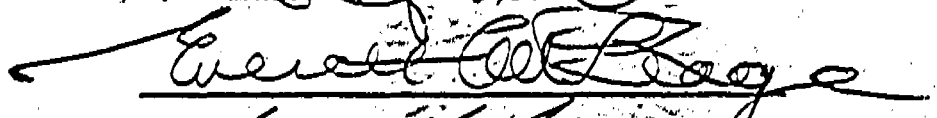
The Secretary is directed to cause service of certified copies of this order to be made upon Cecil H. Fowler and Hazel Del F. Fowler or to mail certified copies thereof to them at their last known addresses as shown in the Commission's records.

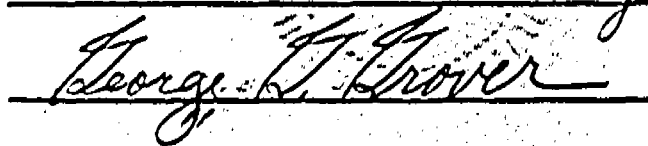
The effective date of this order shall be the twentieth day after such service or after such mailing, as the case may be, unless before such effective date Cecil H. Fowler or Hazel Del F. Fowler shall have filed with this Commission a written request for public hearing in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 20th day of October, 1964.



President






Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.