

**ORIGINAL**

Decision No. 68129

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
John E. Duckett, doing business as	)	
White's Truck Service, for a certi-	)	
ificate of public convenience and	)	
necessity to operate as a highway	)	Application No. 36224
common carrier between Oakland,	)	
San Francisco, Los Angeles Terri-	)	
tory, Sacramento, Stockton and	)	
intermediate points.	)	

ORDER SUSPENDING OPERATIVE RIGHT

John E. Duckett possesses a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of property between various points and places in California.<sup>1</sup>

The tariff of John E. Duckett has not been amended in compliance with the Commission's outstanding minimum rate orders since April 26, 1962. As a result the tariff names rates and charges less than the minimum rates and charges established by the Commission.

On several occasions the carrier was requested, by letter and by telephone,<sup>2</sup> to amend his tariff to comply with the Commission's outstanding minimum rate orders.

The carrier having failed to maintain his tariff on file in conformity with the Commission's outstanding minimum rate orders and the Commission being of the opinion and finding that such failure constitutes good cause for suspension of the certificate and the tariff applicable to services thereunder,

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<sup>1</sup> Decision No. 54517 dated February 11, 1957 in Application No. 36224.

<sup>2</sup> Letters dated July 25, 1962 and June 8, 1964 and phone conversation of May 15, 1964.

IT IS ORDERED that:

1. The certificate of public convenience and necessity to operate as a highway common carrier granted to John E. Duckett by Decision No. 54517 dated February 11, 1957, in Application No. 36224, is hereby suspended pending further order.

2. All effective tariff filings of John E. Duckett are hereby suspended pending further order. Suspension supplements to tariff schedules so suspended are not required and shall not be filed.

The Secretary is directed to cause service of a certified copy of this order to be made upon John E. Duckett 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 twentieth day after such service or after such mailing, as the case may be, unless before such effective date John E. Duckett shall have filed with this Commission a written request for public hearing or shall have amended his tariff in conformity with the Commission's outstanding minimum rate orders in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 27<sup>th</sup> day of October, 1964.

Frederick B. Hallock  
President  
George L. Brown  
William L. Bennett  
Commissioners