

Decision No. 68408

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
R. H. MORRISON, for a certificate )  
of Public Convenience and Necessity )  
to operate vacuum tank trucks as a )  
petroleum irregular route carrier )  
in the State of California. )

Application No. 37895

ORDER SUSPENDING OPERATIVE RIGHTS

R. H. Morrison possesses a certificate of public convenience and necessity to operate as a petroleum irregular route carrier for the transportation of petroleum and petroleum products in vacuum-type and pump-type tank trucks and tank trailers to, from and between all points and places in the Counties of Los Angeles, Orange, San Bernardino, Imperial and San Diego.

The Commission received a copy of a cancellation notice dated September 17, 1964, addressed to Morrison whereby Western Motor Tariff Bureau, Inc., Agent, notified him that his participation in various tariffs would be canceled effective December 24, 1964.<sup>1</sup>

By letter from the Secretary of the Commission, Morrison was placed on notice that his certificate would be subject to suspension or revocation, pursuant to lawful procedures, should he fail to maintain tariffs in effect. The publishing agent filed with this Commission a tariff revision canceling the participation of R. H. Morrison on December 24, 1964. The carrier has not filed tariffs to replace the canceled tariffs.

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<sup>1</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 Vacuum and Pump Truck Tariff No. 7, Cal.P.U.C. No. 17.

Section 486 of the Public Utilities Code requires that common carriers of property file with this Commission schedules showing their rates and classifications and Section 493 of the Code provides that no common carrier shall engage or participate in the transportation of property until its schedules of rates and classifications have been filed.

The required tariffs not being on file, the Commission finds that such failure constitutes good cause for the suspension of this carrier's certificate.

IT IS ORDERED that:

1. The certificate of public convenience and necessity to operate as a petroleum irregular route carrier granted to R. H. Morrison by Decision No. 53358 dated July 10, 1956, in Application No. 37895, is hereby suspended pending further order.

2. All otherwise effective tariff schedules of such carrier filed pursuant to the certificate granted by the decision referred to above are hereby suspended. Suspension supplements to tariff filings 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 R. H. Morrison 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 upon R. H. Morrison or after the above mailing to R. H. Morrison, as the case may be, unless before such effective date R. H. Morrison shall have filed with this Commission a written request for public hearing or shall have filed proper and lawful

tariffs required by Section 486 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 31<sup>st</sup> day of December, 1964.

Fredrick B. Halachoff  
President  
George T. Hoover  
William W. Bennett  
Commissioners