

ORIGINAL

Decision No. 69008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
CONSUMERS TRANSPORTATION CORPORATION, )  
a California corporation, for a cer- )  
tificate of public convenience and )  
necessity to operate service as a ) Application No. 31227  
petroleum irregular route carrier )  
over all public highways and between )  
all points and places in the State )  
of California. )

ORDER SUSPENDING OPERATIVE RIGHT

By Decision No. 67232, dated May 19, 1964, in Application No. 46323, the Commission suspended the petroleum irregular route carrier certificate of public convenience and necessity of Consumers Transportation Corporation until January 1, 1965, pursuant to carrier's request. The participation of Consumers Transportation Corporation in various tariffs was canceled effective July 27, 1964.<sup>1</sup>

By letter from the Secretary of the Commission dated January 28, 1965, Consumers Transportation Corporation was informed that tariff filings had not been received by the Commission to cover operations reinstated on January 1, 1965, by Decision No. 67232, supra, and that its operative right would be subject to suspension or revocation, pursuant to lawful procedures, should it fail to file the required tariffs with the Commission. 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, Distance Table No. 4, Cal.P.U.C. No. 15 (Agent J.L. Beeler series), Local Freight and Express Tariff No. 3-D, Cal.P.U.C. No. 25 (Agent Elmer Ahl series) and Local Freight Tariffs Nos. 30-A and 33-B, Cal.P.U.C. Nos. 26 and 27 (Agent Elmer Ahl series), respectively.

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 the certificate of public convenience and necessity to operate as a petroleum irregular route carrier granted to Consumers Transportation Corporation by Decision No. 44392 dated June 20, 1950, in Application No. 31227, is hereby suspended pending further order.

The Secretary is directed to cause service of a certified copy of this order to be made upon Consumers Transportation Corporation or to mail a certified copy thereof to it at its 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 Consumers Transportation Corporation or after the above mailing to Consumers Transportation Corporation, as the case may be, unless before such effective date Consumers Transportation Corporation 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 4<sup>th</sup> day of May, 1965.

Fredrick G. Halaloff  
President  
Paul E. Mitchell  
George E. Cover  
Lawson  
William W. Blum  
Commissioners