

ORIGINAL

Decision No. 69211

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Manuel V. Garcia and Raymond Z. )  
Fraijo, a partnership doing business )  
as IRWINDALE TRUCKING COMPANY, of )  
Irwindale, for a certificate to )  
operate as a cement carrier )  
(Application No. T-70,662 CMT-G), )  
Los Angeles County, et al., (File )  
No. T-70,662). )

Application No. 46387

ORDER CONTINUING SUSPENSION OF OPERATIVE RIGHT

The certificate of public convenience and necessity granted to Irwindale Trucking Company has been suspended since May 19, 1965, under the provisions of General Order No. 100-D for failure to have on file requisite evidence of liability insurance.<sup>1</sup> The carrier has not filed the required evidence of liability insurance since that date.

The Commission received a copy of a cancellation notice dated March 2, 1965, addressed to Irwindale Trucking Company, whereby Western Motor Tariff Bureau, Inc., Agent, notified it that its participation in various tariffs would be canceled effective June 7, 1965.<sup>2</sup>

1

The certificate authorizes service as a cement carrier for the transportation of cement to and within Los Angeles, Orange, Riverside, San Diego and Ventura Counties from any and all points of origin.

2

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. 5, Cal.P.U.C. No. 22; and Local Freight Tariff No. 17, Cal.P.U.C. No. 21.

By letter from the Secretary of the Commission, Irwindale Trucking Company was placed on notice that its certificate would be subject to suspension or revocation, pursuant to lawful procedures, should it fail to maintain tariffs in effect. The publishing agent filed with this Commission tariff revisions canceling the participation of Irwindale Trucking Company on June 7, 1965. The carrier has not filed tariffs to replace the canceled tariffs.

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 evidence of liability insurance and the required tariffs not being on file, the Commission finds that such failures constitute good cause for the continuation of the suspension of this carrier's certificate.

IT IS ORDERED that the certificate of public convenience and necessity to operate as a cement carrier granted to Irwindale Trucking Company by Resolution No. 13821, Sub. No. 43, dated June 23, 1964, in Application No. 46387 is hereby continued in suspension pending further order.

The Secretary is directed to cause service of a certified copy of this order to be made upon Irwindale Trucking Company 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 or after such mailing, as the case may be, unless before such effective date Irwindale Trucking Company shall have filed with this Commission a written request for public hearing or shall have filed the proper and lawful tariffs required by Sections 486 and 493 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 8<sup>th</sup> day of June, 1965.

Frederick B. Holdhoff  
President  
George W. Hoover  
William A. Bennett  
Commissioners