

ORIGINAL

Decision No. 69212

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of LEONARD A. KINZEL, an individual)	
of Burbank, for a certificate to)	
operate as a cement carrier)	Application No. 46530
(Application No. T-68,883, CMT-G),)	
Los Angeles County, et al.)	
(File No. T-68,883).)	

ORDER CONTINUING SUSPENSION OF CERTIFICATE

The certificate of public convenience and necessity granted to Leonard A. Kinzel (Kinzel) has been suspended since April 28, 1965, under the provisions of General Order No. 100-D for failure to have on file requisite evidence of liability insurance.¹ 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 Kinzel, whereby Western Motor Tariff Bureau, Inc., Agent, notified him that his participation in various tariffs would be canceled effective June 7, 1965.²

By letter from the Secretary of the Commission, Kinzel 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 cancelling the participation of Kinzel on June 7, 1965. The carrier has not filed tariffs to replace the canceled tariffs.

¹ The certificate authorizes service as a cement carrier for the transportation of cement to and within the Counties of Los Angeles, Orange and San Diego 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.

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 Leonard A. Kinzel by Resolution No. 13821, Sub. No. 29, dated June 23, 1964, as amended by Decision No. 67742, dated August 25, 1964, in Application No. 46530, 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 Leonard A. Kinzel 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 the above mailing, as the case may be, unless before such effective date Leonard A. Kinzel shall have filed with this Commission a written request for public hearing or

shall have filed 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 20th day of June, 1965.

Frederick B. Holhoff
President
James E. Hatcher
George L. Crow
Augusta
William A. Dennis
Commissioners