

**ORIGINAL**

Decision No. 69293

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

|                                     |   |                       |
|-------------------------------------|---|-----------------------|
| In the matter of the Application    | ) |                       |
| of C.F.O. ENTERPRISES, INC., a      | ) |                       |
| corporation, of Lancaster, for a    | ) |                       |
| certificate to operate as a cement  | ) | Application No. 46460 |
| carrier (Application No. T-66,150,  | ) |                       |
| CMT-G), Los Angeles County, et al., | ) |                       |
| (File No. T-66,150).                | ) |                       |

ORDER SUSPENDING OPERATIVE RIGHTS

C. F. O. Enterprises, Inc., possesses a certificate of public convenience and necessity to operate as a cement carrier for the transportation of cement to and within Kern, Los Angeles, San Luis Obispo, Santa Barbara, Tulare and Ventura Counties from any and all points of origin.

The Commission received a copy of a cancellation notice dated March 2, 1965, addressed to C. F. O. Enterprises, Inc., whereby Western Motor Tariff Bureau, Inc., Agent, notified it that its participation in various tariffs would be canceled effective June 7, 1965.<sup>1</sup>

By letter from the Secretary of the Commission, C. F. O. Enterprises, Inc., 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 a tariff revision canceling the participation of C. F. O. Enterprises, Inc., on June 7, 1965. The carrier has not filed tariffs to replace the canceled tariffs.

<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. 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 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 cement carrier granted to C. F. O. Enterprises, Inc., by Resolution No. 13823, Sub. No. 1, dated June 23, 1964, in Application No. 46460, is hereby suspended pending further order.

The Secretary is directed to cause service of a certified copy of this order to be made upon C. F. O. Enterprises, Inc., 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 the above mailing, as the case may be, unless before such effective date C. F. O. Enterprises, Inc., 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 22<sup>nd</sup> day of June, 1965.

Frederick G. Hallock  
President  
John D. Hill  
George G. Trover  
August  
William B. Bennett  
Commissioners