

ORIGINAL

Decision No. 69735

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Frank C. Palazzotto, Joseph C.)
Cancilla and Edwin A. Benson, Co-))
Partners, doing business as)
DEPENDABLE TRUCK LINES, for per-))
mission to transfer highway)
common carrier certificate to)
C & P Corporation, a California)
corporation, doing business as)
DEPENDABLE TRUCK LINES, the)
latter to issue stock.)

Application No. 43832

ORDER SUSPENDING OPERATIVE RIGHT

C & P Corporation, a California corporation, doing business as Dependable Truck Lines, possesses a certificate of public convenience and necessity to operate as a highway common carrier for the transportation of general commodities between certain points in the San Francisco Bay Area.¹

Tariffs are filed for the account of applicant by West Coast Freight Tariff Bureau, Inc., Richard A. Bennett, Agent. On June 25, 1965, the Commission's Secretary addressed a letter to applicant directing its attention to violations of the minimum rate orders in the tariffs, and stated that unless a response was received within five days, "the failure may be referred to the Commission by its staff with the recommendation

¹ By Decision No. 62937, dated December 19, 1961, in Application No. 43832, C & P Corporation, a California corporation, acquired the highway common carrier operative right granted by Decision No. 61172, dated December 13, 1960, in Application No. 42513 to Frank C. Palazzotto, Joseph C. Cancilla and Edwin A. Benson, co-partners doing business as Dependable Truck Lines.

that it consider the suspension or revocation of your operative right." The return receipt for this letter was dated June 28, 1965. No response has been received.

The tariffs on file for the account of this carrier have not been amended since June 26, 1965, and are in violation of outstanding minimum rate orders of the Commission and Section 460 of the Public Utilities Code.

The carrier not having complied with minimum rate orders since June 28, 1965, 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 highway common carrier granted to C & P Corporation, doing business as Dependable Truck Lines, by Decision No. 62937 in Application No. 43832 is hereby suspended until further order.

2. All tariff schedules, otherwise effective, 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 C & P 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 or after such mailing, as the case may be, unless before such effective date C & P Corporation, a California corporation, shall have filed with this Commission a written request for public hearing or shall have made applicable tariff filings in conformity with outstanding minimum rate orders of the Commission, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 28th day of September, 1965.

Fredrick B. Hoffmann
President
Augusta
William W. Bennett

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.