

ORIGINAL

Decision No. 70138

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PRESIDENT TANK LINES, INCORPORATED,)
a corporation, for a certificate of)
public convenience and necessity to)
operate as a highway common carrier)
for the transportation of Petroleum)
Products in bulk in tank trucks and)
trailers over described routes.)

Application No. 29640

In the Matter of the Application of)
PRESIDENT TANK LINES, INC., a cor-)
poration, for a certificate of)
public convenience to operate an)
automobile freight service as a pe-)
troleum irregular route carrier)
between all points in the State of)
California by reason of operations)
conducted on and after September 1,)
1949, under radial highway common)
carrier permit issued by the Public)
Utilities Commission.)

Application No. 31068

ORDER REVOKING OPERATIVE RIGHT

By Decision No. 67881, dated September 22, 1964, in Application No. 46924, the Commission suspended the highway common carrier and petroleum irregular route carrier certificates of President Tank Lines, Inc., (President) until September 1, 1965, pursuant to the carrier's request.¹ The operative rights of President were again suspended by the Commission on October 8, 1965, under the provisions of General Order No. 100-D for failure to have on file requisite evidence of liability insurance. The participation of President in various tariffs was canceled effective January 20, 1964.²

¹ President's certificates had been suspended until September 1, 1964, because it was experiencing economic difficulties pursuant to Decision No. 65978 dated September 10, 1963, as amended by Decision No. 66104 dated October 1, 1963, in Application No. 45477.

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. 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 Vacuum and Pump Truck Tariff No. 7, Cal.P.U.C. No. 17.

By letter from the Secretary of the Commission dated September 8, 1965, President was informed that tariff filings had not been received by the Commission to reflect the termination of the suspension of the operative rights as authorized by Decision No. 67881, supra, and that its operative rights would be subject to revocation, pursuant to lawful procedures, should it fail to file the required tariffs with the Commission. The carrier has not reinstated its participation in the tariffs involved nor filed other tariffs in lieu thereof.

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 and evidence of liability insurance not being on file, the Commission finds that such failures constitute good cause for revocation of this carrier's certificates.

IT IS ORDERED that:

1. The certificate of public convenience and necessity to operate as a highway common carrier granted to President Tank Lines, Inc., by Decision No. 42623 dated March 15, 1949, as amended by Decisions Nos. 42893, 42953 and 43125 dated May 17, June 1 and July 12, 1949, respectively, in Application No. 29640 is hereby revoked.

2. The certificate of public convenience and necessity to operate as a petroleum irregular route carrier granted to President Tank Lines, Inc., by Decision No. 44368 dated June 20, 1950, in Application No. 31068 is hereby revoked.

The Secretary is directed to cause service of a certified copy of this order to be made upon President Tank Lines, 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 thirtieth day after such service upon President Tank Lines, Inc., or after the above mailing to it, as the case may be, unless before such effective date there shall have been filed with this Commission a written request for public hearing, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 21st day of December, 1965.

Frederick B. Hallock
President
Carl E. Mitchell
George T. Crover
Russell
William A. Brundage
Commissioners