

ORIGINALDecision No. 70585

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the operations,
rates and practices of DAILY
TRUCKING SERVICE, a California
corporation.

Case No. 7110

Elinore C. Morgan and F. J. O'Leary,
for the Commission staff.

O P I N I O N

By its order dated March 17, 1965 the Commission reopened the above-entitled proceeding for the purpose of determining whether or not the respondent had complied with the ordering paragraphs of Decision No. 62521.

A public hearing was held before Examiner Porter on February 24, 1966, at Los Angeles, at which time the matter was submitted.

Respondent's counsel advised the Commission by letter, dated November 18, 1964, that a law suit to collect undercharges is dormant because of plaintiff's financial condition and that it is uncertain when such case will again become active because of the plaintiff's lack of funds. Respondent's permits were in voluntary suspension for one year, August 24, 1964 to August 27, 1965; since that time respondent's permits have lapsed and terminated pursuant to Section 3573 of the Public Utilities Code.

After consideration the Commission finds that respondent has not complied with Decision No. 62521.

O R D E R

IT IS ORDERED that no permit or certificate shall be issued to the respondent, or to anyone who was an officer or director of respondent on the effective date of Decision No. 62521, until compliance with the ordering paragraphs of said Decision No. 62521 is completed.

The Secretary of the Commission is directed to cause personal service of this order to be made upon respondent.

The effective date of this order shall be twenty days after the completion of such service.

Dated at San Francisco, California, this 19th day of APRIL, 1966.

President

George T. Hoover

William B. ...

Augusta

Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.

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