

ORIGINALDecision No. 71869

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 JOSEPH SOUZA, an individual, doing)
 business as JOSEPH SOUZA, for a)
 certificate of public convenience) Application No. 36177
 and necessity to operate as a high-)
 way common carrier of specified)
 commodities between various points)
 and places in California.)

ORDER REVOKING OPERATIVE RIGHT

Olive L. Souza is the Administratrix of the Estate of Joseph Souza who was granted a highway common carrier certificate of public convenience and necessity for the transportation of fruits and vegetables between various points in the San Joaquin Valley, on the one hand, and San Francisco and Oakland, on the other hand.

This certificate was suspended by Decision No. 67775 dated August 25, 1964, in this proceeding, for failure to have on file and maintain a proper and lawful tariff in conformity with the Commission's General Order No. 80-A and various outstanding minimum rate orders.¹ Neither the required tariff filing nor compliance with the aforesaid Commission minimum rate orders has since been accomplished.

Olive L. Souza, administratrix, has failed to file with the Commission and maintain a proper and lawful tariff as required by General Order No. 80-A; Sections 486 and 493 of the Public Utilities Code; and the Commission's outstanding minimum rate

¹The carrier has failed to comply with the following minimum rate orders issued in Case No. 5438 between April 10, 1959, and February 15, 1964: Decisions Nos. 58025, 60624, 62216, 62352, 62976, 63122, 64202, 65395, 66199 and 66586 dated April 10, 1959, October 14, 1960, August 12, 1961, September 9, 1961, February 3, 1962, March 3, 1962, October 27, 1962, July 6, 1963, December 14, 1963 and February 15, 1964, respectively.

orders identified above. The Commission finds that such failures constitute good cause for revocation of the aforesaid carrier's certificate and cancellation of the tariff applicable to services performed thereunder.

IT IS ORDERED that:

1. The certificate of public convenience and necessity to operate as a highway common carrier granted to Joseph Souza by Decision No. 52901 dated April 17, 1956, in Application No. 36177, is hereby revoked.

2. Local Freight Tariff No. 1, Cal.P.U.C. No. 1, of Joseph Souza is hereby canceled.

The Secretary of the Commission is directed to cause service of a certified copy of this order to be made upon Olive L. Souza, Administratrix of the Estate of Joseph Souza, Deceased, or to mail a certified copy thereof to her at her last known address as shown in the Commission's records.

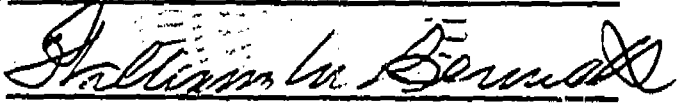
The effective date of this order shall be the thirtieth day after such service upon Olive L. Souza, unless before such effective date there shall have been filed with this Commission a written request for public hearing, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 17th day of January, 1967.



President





Commissioners