

LM

Decision No. 74870

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SAMUEL V. STROUD, an individual, for
suspension of operations as a cement
common carrier pursuant to certificate
of public convenience and necessity.

Application No. 50554
(Filed September 17, 1968)

O P I N I O N

Samuel V. Stroud requests suspension of his certificate authority to operate as a cement carrier for a period of one year.

Said authority was granted by Decision No. 74341, dated July 2, 1968, in Application No. 50161, and covers operations within the Counties of Kern, Los Angeles, Orange, Riverside, San Bernardino and San Diego.

It is alleged that applicant is ill and presently unable to conduct operations.

After consideration, the Commission finds that the proposed suspension would not be adverse to the public interest. A public hearing is not necessary.

Samuel V. Stroud is placed on notice that a cement carrier certificate of public convenience and necessity not exercised for a period of one year shall lapse and terminate (Section 1065.2, Public Utilities Code). Commission records indicate that on August 31, 1968, the sale and transfer of the certificate referred to above was consummated and no operations have been performed thereunder subsequent to that date.

O R D E R

IT IS ORDERED that:

1. The operating authority set forth in Decision No. 74341, dated July 2, 1968, in Application No. 50161, is hereby suspended to August 31, 1969, effective the date hereof, unless sooner canceled, modified, or extended by order of the Commission.

2. Within sixty days after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicant shall amend his tariffs presently on file with this Commission to reflect the authority herein granted.

3. During said period of suspension, Samuel V. Stroud shall continue to file quarterly reports and pay fees pursuant to Section 5003.1 of the Public Utilities Code.

4. Prior to the expiration date of the suspension period or the date service is resumed when the latter date is earlier than said expiration date, Samuel V. Stroud shall:

- (a) File a list of motor equipment to be operated; and
- (b) File and have in effect evidence of adequate liability insurance protection in compliance with General Order No. 100 series.

5. Samuel V. Stroud shall file an annual report in compliance with General Order No. 104 series for the calendar year 1968 on or before March 31, 1969.

6. Samuel V. Stroud shall file tariff schedules naming rates and rules governing cement carrier operations herein on not less than ten days' notice to the Commission and the public. The effective date of the tariff filings shall be concurrent with the expiration date of the suspension period or the date service is resumed when the latter date is earlier than said expiration date.

7. Samuel V. Stroud is placed on notice that commencement of operations pursuant to the certificate referred to in ordering paragraph 1, above, prior to compliance with ordering paragraphs 3, 4, 5 and 6, above, may be cause for revocation of his operating authority.

8. If prior to September 1, 1969, no cement carrier operations are performed pursuant to the certificate of public convenience and necessity referred to in ordering paragraph 1, then for lack of exercise the certificate shall lapse and terminate.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 27th
day of OCTOBER, 1968.

William S. Stroud
President
Stallman
Commissioners

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.