

ORIGINAL

Decision No. 76720

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CONSTRUCTION TRANSPORTATION COMPANY }
for reinstatement of its operating }
permit as a contract carrier. }

Application No. 51487
(Filed November 17, 1969)

OPINION AND ORDER

By its petition filed November 17, 1969, Construction Transportation Company requests reinstatement of Highway Contract Carrier Permit No. 10-10001, which was terminated as of April 11, 1969, pursuant to Section 3573 of the Public Utilities Code^{1/} for failure to exercise said permit for a period of one year. The notice of termination indicated that petitioner failed to file quarterly reports of gross operating revenue for the period October 1, 1967, to December 31, 1968; however, commencing March 25, 1968, the Commission, pursuant to Section 3771 of the Public Utilities Code,^{2/} had authorized a voluntary suspension of said permit and reinstated the same at the request of petitioner on March 7, 1969.

It would appear therefore that the one year period provided for in Section 3573 was tolled by the suspension of the permit commencing March 25, 1968, and the permit should be reinstated as requested.

1/ Any operating permit not exercised for a period of one year shall lapse and terminate.

2/ The Commission may, at the request of any highway permit carrier, suspend the operating permit of the carrier for a definite time during which it is unlawful for the carrier to conduct any operations as a highway permit carrier.

Good cause appearing,

IT IS ORDERED that Highway Contract Carrier Permit No.
10-10001 is hereby reinstated.

The effective date of this order shall be twenty days
after the date hereof.

Dated at San Francisco, California, this 27th
day of JANUARY, 1970.

William J. Agnew
President

August

J. P. Dubois

Thomas W. M.

Hermon L. Stinson
Commissioners