

ORIGINAL

Decision No. 77132

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA POOL CAR DISTRIBUTORS INC.,)
a corporation, to sell, and HECHT)
FAST FREIGHT, INC., a corporation,)
to purchase a certificate of public)
convenience and necessity authoriz-)
ing service as a highway common)
carrier of freight.)

Application No. 43995

ORDER RESCINDING ORDER OF REVOCATION
AND SUSPENDING OPERATIVE RIGHT

The certificate of public convenience and necessity acquired by Hecht Fast Freight, Inc. (Hecht), has been suspended since April 24, 1969, for failure on the part of the carrier to have on file with the Commission the required classification and C.O.D. bond. Hecht amended its tariff to provide that it will not accept C.O.D. shipments thereby eliminating the necessity for having a C.O.D. bond on file with the Commission. As a result of Hecht's inaction with respect to the required classification filing, Decision No. 76984 dated March 24, 1970, provided for the respective revocation and cancellation of the carrier's operative right and tariff effective April 23, 1970.

By letter dated April 8, 1970, Hecht submitted copies of documents to the Commission, which indicate that it has made arrangements with National Motor Freight Traffic Association, Inc. (National) to become a participant in National's classification.

Sidney Bradpiece, attorney for Hecht, requests by letter dated April 8, 1970, that revocation of the certificate of public convenience and necessity of Hecht be set aside and that the matter be held in abeyance until such time as litigation involving the corporate assets of Hecht is determined.

In the circumstances, it appears, and the Commission finds, that rescission of the order of revocation and suspension of the operative right for a period of one year would not be adverse to the public interest. A public hearing is not necessary. The Commission concludes that order of revocation should be rescinded and the certificate should be suspended for a period of one year.

IT IS ORDERED that:

1. Decision No. 76984 dated March 24, 1970, in Application No. 43995 is hereby rescinded.
2. Resolution No. TS-030 dated April 1, 1969, in Application No. 43995 is hereby vacated and set aside.
3. The certificate of public convenience and necessity to operate as a highway common carrier acquired by Hecht Fast Freight, Inc., by Decision No. 63371 dated March 6, 1962, as amended by Decision No. 74610 dated August 27, 1968, in Application No. 43995 is hereby suspended until April 21, 1971.

4. The Secretary is directed to cause service of a certified copy of this order to be made upon Hecht Fast Freight, Inc., or to mail a certified copy thereof to it at its last known address as shown in the Commission's records and to mail a copy of this order to Sidney Bradpiece.

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

Dated at San Francisco, California, this 21st day of April, 1970.

August
President
J. Robinson
Thomas J. ...
Vernon L. Sturgeon
Commissioners

Commissioner William Swans, Jr., being necessarily absent, did not participate in the disposition of this proceeding.