

Decision No. 78447

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CALIFORNIA FREIGHTWAYS, a Corporation,)	
for a Certificate of Public Conven-)	Application No. 36489
ience and Necessity as a highway)	
common carrier of property.)	

IN THE MATTER OF THE APPLICATION OF)	
CALIFORNIA FREIGHTWAYS, A CORPORA-)	
TION, TO SELL AND CALIFORNIA MOTOR)	
TRANSPORT CO., LTD., A CORPORATION,)	Application No. 40775
TO PURCHASE CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY BETWEEN)	
LOS ANGELES AND SAN DIEGO TERRITORY.)	

SUPPLEMENTAL OPINION AND ORDER

By Resolution No. 16523 dated April 7, 1970, California Freightways, a corporation, was authorized to suspend service as a highway common carrier until March 31, 1971. Applicant requests that the suspension be continued for another year.

It is alleged that Frank J. Brown, President of California Freightways, has made progress in solving certain financial problems of California Freightways but additional time is required to solve the remaining problems.

After consideration the Commission finds that the requested authority would not be adverse to the public interest. A public hearing is not necessary.

IT IS ORDERED that:

1. Concurrent with the tariff filings required by Ordering Paragraph 2 hereof, the operating authority granted by Decision No. 54856 dated April 16, 1957, in Application No. 36489 as amended by Decision No. 58141 dated March 17, 1959, in Application No. 40775 is hereby further suspended.

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

3. During the period of suspension California Freightways, a corporation, 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, California Freightways, a corporation, shall file a list of motor equipment to be operated and file and have in effect evidence of adequate liability insurance protection in compliance with Commission General Order No. 100-F.

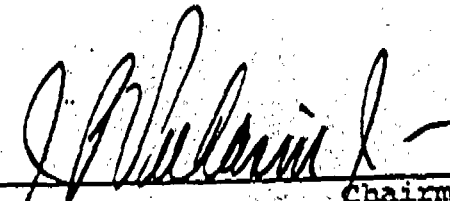
5. Tariff schedules naming rates and rules governing the common carrier operations herein shall be brought up to date in compliance with all applicable Commission minimum rate orders. The required tariff filings shall be made effective on not less than ten days' notice to the Commission and to the public and the effective date of the tariff filings shall be concurrent with the expiration date of the suspension period or the date when service is resumed when the latter date is prior to said expiration date.

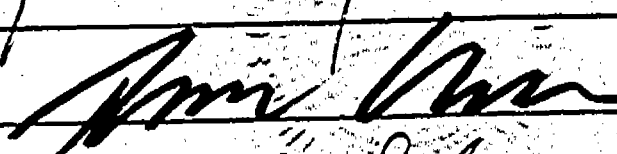
6. The authority to suspend operations as a highway common carrier granted herein shall expire on March 31, 1972. Earlier resumption of operations may be effected upon compliance with Ordering Paragraphs 3, 4 and 5.


7. Mr. Frank J. Brown, President of California Freightways, is placed on notice that commencement of operations under the certificate referred to in Ordering Paragraph 1 herein, prior to compliance with Ordering Paragraphs 3, 4 and 5, may be cause for further suspension or revocation of the operating authority of California Freightways, a corporation.


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

Dated at San Francisco, California, this 23rd day of March, 1971.



Chairman






Commissioners

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