

ORIGINAL

Decision No. 78504

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)	
PHILLIPS TRUCKING CORP., a Corpora-)	
tion, to sell and transfer a Cer-)	
tificate of Public Convenience and)	Application No. 52449
Necessity authorizing the transpor-)	
tation of cement to Newman Black,)	
an individual, doing business as)	
WESTERN CEMENT TRANSPORT.)	

SUPPLEMENTAL OPINION AND ORDER

Phillips Trucking Corp. requests authority to suspend service as a cement carrier.

The certificate was granted by Decision No. 78505 dated April 2, 1971, in Application No. 52449, and authorizes the transportation of cement from any and all points of origin to and within the Counties of Alameda, Fresno, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Los Angeles, Madera, Marin, Monterey, Napa, Orange, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Solano, Sonoma, Tulare, Ventura and Yolo.

Applicant has submitted a letter stating that James S. Phillips, President of the Corporation, is deceased, and requests that the operative rights be suspended in order to reorganize the business.

After consideration, the Commission finds that the proposed suspension of service 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. 78505 dated April 2, 1971, in Application No. 52449, is hereby 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, Phillips Trucking Corp. 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, Phillips Trucking Corp. 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 granted herein shall expire on March 16, 1972 or upon earlier resumption of operations which may be effected upon compliance with Ordering Paragraphs 3, 4 and 5.

Phillips Trucking Corp. 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 Phillips Trucking Corp.

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

Dated at Los Angeles, California, this 27th day of April, 1971.

Chairman
William J. ...
Commissioners
[Signature]

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.