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ORIGINAL

Decision No. 78832

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's  
own motion into the operations and  
practices of DOLLY E. MORTON, an  
individual, doing business as  
MORTON DRAYAGE.

Case No. 9010  
(Filed January 6, 1970)

O P I N I O N

By its order dated January 6, 1970, the Commission instituted an investigation into the operations of Dolly E. Morton, an individual doing business as Morton Drayage, hereinafter referred to as respondent, in order to determine whether respondent has been operating as a highway common carrier between fixed termini or over a regular route between Sacramento and Redding, Red Bluff, Willows, Central Valley, Yuba City, Anderson, Orland, Chico, Gridley, Colusa, Live Oak, Marysville, Corning, Maxwell and Williams, and between fixed termini or over a regular route between San Francisco and Marysville, Redding and Chico, without first having obtained a certificate of public convenience and necessity as required by Section 1063 of the Public Utilities Code. Respondent presently holds a highway contract carrier permit.

A public hearing was scheduled for February 25, 1970 in Yuba City. This hearing was postponed at the request of respondent. Subsequently respondent requested additional continuances pending completion of pending certificate transfer proceedings (Applications Nos. 52107 and 52146.):

On May 10, 1971 respondent and the Commission staff filed a stipulation in the present investigation. The pertinent parts of this stipulation provide as follows:

1. Respondent has operated, or is operating as a highway common carrier, between fixed termini, or over regular routes between any and all of the aforesaid points without first having obtained a certificate of public convenience and necessity as required by Section 1063 of the Public Utilities Code.

2. Respondent, pursuant to Section 1071 of the Public Utilities Code, should be ordered to cease and desist from operating as a highway common carrier between any and all of the aforesaid points until such time as she has obtained the requisite operating authority.

3. Respondent's present operating authority shall not be canceled, revoked, or suspended and no fine shall be imposed on said respondent.

The Commission finds that the stipulation is reasonable and should be accepted without further proceedings in this matter.

The Commission concludes that respondent Dolly E. Morton, an individual doing business as Morton Drayage has been operating as a highway common carrier, as defined in Section 213 of the Public Utilities Code, without first having obtained a certificate of public convenience and necessity from this Commission as required by Section 1063 of said code.

O R D E R

IT IS ORDERED that Dolly E. Morton, an individual doing business as Morton Drayage, cease and desist from operating as a highway common carrier, as defined in Section 213 of the Public Utilities Code, between fixed termini or over a regular route between Sacramento and Redding, Red Bluff, Willows, Central Valley, Yuba City, Anderson, Orland, Chico, Gridley, Colusa, Live Oak, Marysville, Corning, Maxwell and Williams, and between fixed termini or over a regular route between San Francisco and Marysville, Redding and Chico, unless or until she shall first have obtained from this Commission a certificate of public convenience and necessity authorizing such operation as required by Section 1063 of said code.

The Secretary of the Commission is directed to cause personal service of this decision and order to be made upon the respondent.

The effective date of this order shall be twenty days after date of service upon respondent.

Dated at San Francisco, California, this 22nd day of JUNE, 1971.

[Signature]  
Chairman  
[Signature]  
[Signature]  
[Signature]  
Commissioners