

ORIGINAL

Decision No. 78861

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of: )  
 )  
 C. C. WHITE, INC., doing business as )  
 WHITE'S TRANSPORTATION, a California )  
 corporation, for authority to transfer )  
 operating rights, and )  
 )  
 M & M TRANSPORT, INC., a California )  
 corporation, for authority to acquire )  
 operating rights. )

Application No. 50057

SUPPLEMENTAL OPINION AND ORDER

M & M Transport, Inc., requests authority to suspend operations as a cement carrier.

The authority to conduct operations as a cement carrier was granted by Decision No. 74051 dated April 30, 1968, in Application No. 50057, as modified by Decision No. 74085 dated May 7, 1968, and authorizes operations as a cement carrier from any and all points of origin to all points in the Counties of Kern, Los Angeles, Mono, San Bernardino, San Luis Obispo, San Joaquin, Santa Barbara and Ventura.

Applicant has submitted a letter requesting that its operating authority be suspended for one year because of an extreme decrease in business.

An investigation by the Commission staff reveals that these counties involved are served by numerous other cement carriers.

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. 74051 dated April 30, 1968, in Application No. 50057, as modified by Decision No. 74085 dated May 7, 1968, 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, M & M Transport, Inc., 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, M & M Transport, Inc., 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 June 15, 1972, or upon earlier resumption of operations which may be effected upon compliance with Ordering Paragraphs 3, 4 and 5.

M & M Transport, Inc., 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 M & M Transport, Inc.

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

Dated at San Francisco, California, this 29<sup>th</sup> day  
of June, 1971.

William J. Helms  
Chairman  
William J. Helms  
Samuel R. ...  
Vernon L. Sturgeon  
Commissioners

Commissioner D. W. Helms, being  
necessarily absent, did not participate  
in the disposition of this proceeding.