

Decision No. 79494

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of BARKLEY AND GIBBONS, INC., a)	
corporation, of Campbell, for a)	
certificate to operate as a cement)	Application No. 46413
carrier (Application No. T-68,578,)	
CMT-G), Merced County, et al, (File)	
No. T-68,578).)	

SUPPLEMENTAL OPINION AND ORDER

Barkley and Gibbons, Inc., requests authority to extend suspension of service as a cement carrier.

The operative rights to conduct operations as a cement carrier were granted by Resolution No. 13821 dated June 23, 1964, and authorize transportation to and within the Counties of Fresno, Merced, Monterey, San Benito, San Mateo, Santa Clara, Santa Cruz, Stanislaus and Yolo, and suspended by Decision No. 78502, dated April 2, 1971, in Application No. 46413.

Mr. A. A. Hannibal, Secretary of applicant, has submitted a letter requesting that present suspension of the operative rights be extended in order to reorganize the business.

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

After consideration, the Commission finds that the proposed further suspension of service would not be adverse to the public interest and should be granted. 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 Resolution No. 13821 dated June 23, 1964, 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 Barkley and Gibbons, 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, Barkley and Gibbons, 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 4, 1972, or upon earlier resumption of operations which may be effected upon compliance with Ordering Paragraphs 3, 4 and 5.

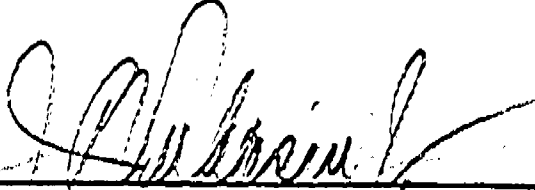
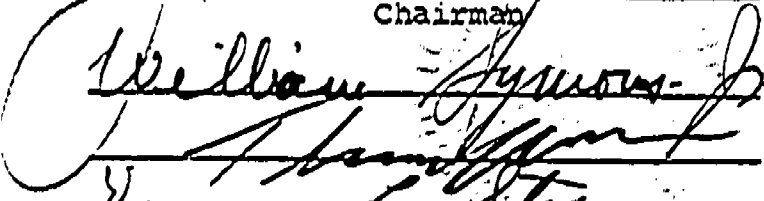
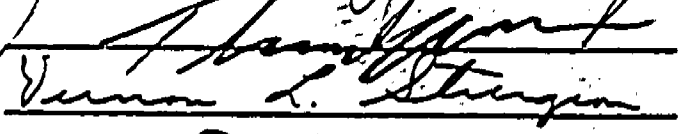

7. Barkley and Gibbons, Inc. is placed on notice that commencement of operations under the certificate referred to in Ordering Paragraph 1 herein, prior to compliance with

A. 46413 - jm

Ordering Paragraphs 3, 4 and 5, may be cause for further suspension or revocation of the operating authority of Barkley and Gibbons, Inc.

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

Dated at San Francisco, California, this 21st day of December, 1971.


Chairman



Commissioners