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Decision No. 80132

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of AMERICAN COURIER CORPORATION, a corporation, for an order of the Commission suspending its certificates of public convenience and necessity to operate as an express corporation and as a freight forwarder of special commodities between points in the State of California, or, in the alternative, for an immediate order revoking and setting aside supplemental order entered in Decision No. 78987, dated August 10, 1971, in Application No. 51694 and related matters and Decision No. 79081, dated August 24, 1971, in Application No. 51794.

Application No. 52986

Application of AMERICAN COURIER CORPORATION, a corporation, for a certificate of public convenience and necessity to operate as an express corporation of special commodities between points in the State of California.

Application No. 51458

Application of AMERICAN COURIER CORPORATION, a corporation, for a certificate of public convenience and necessity to operate as a freight forwarder of special commodities between points in the State of California.

Application No. 50963

ORDER SUSPENDING OPERATING RIGHTS

There are presently pending before the Commission Applications Nos. 52854, 52964 and 52986. In Application No. 52854, Loomis Courier Service, Inc. seeks to have its certificates of public

convenience and necessity to operate as a freight forwarder and express corporation cancelled. Application No. 52964 is one by United Clearings, Inc. seeking similar relief. American Courier Corporation is the applicant in Application No. 52986. American alleges that it is in direct competition with Loomis and United and that Loomis and United have not filed certain tariffs required by law. American seeks alternative relief: (1) that Loomis and United be required to file requisite tariffs or (2) that its operating authority be cancelled or suspended so that it can compete with Loomis and United on equal terms.

The record indicates that while Loomis and United have express corporation operating rights, the Commission has granted them extensions of time, to July 1, 1972, in which to file appropriate tariffs. A public hearing was held in the aforesaid proceedings before Examiner Jarvis on January 25, 26 and 27, 1972. The matters were submitted subject to the filing of transcripts and briefs. The briefing in these matters has not yet been completed. In the circumstances, the Commission is of the opinion and finds that American's certificate of public convenience and necessity to operate as an express corporation should be temporarily suspended until further order by the Commission.

IT IS ORDERED that the certificate of public convenience and necessity to operate as an express corporation granted to American Courier Corporation by Decision No. 76434 in Application No. 51458 and Decision No. 76236 in Application No. 50963 is hereby suspended until further order of this Commission.

A. 52986 et al. ek

IT IS FURTHER ORDERED that American Courier Corporation shall amend its tariff on file with the Commission, on not less than two days' notice to the Commission and the public, to reflect the authority herein granted.

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

Dated at <sup>San Francisco</sup> San Francisco, California, this 7<sup>th</sup> day of JUNE, 1972.

[Signature]  
Chairman  
[Signature]  
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Commissioners