

ORIGINAL

Decision No. 81111

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
THEODORE GIFFORD PENNINGTON to sell)
and transfer, and of C & M TRUCK)
LINES, INC., a California corporation,)
to purchase and acquire the operative) Application No. 47045
rights of THEODORE GIFFORD PENNINGTON,)
conducted under and pursuant to)
Decision No. 44471 dated 27 June 1950)
in Application No. 31163.)

SUPPLEMENTAL OPINION AND ORDER

C & M Truck Lines, Inc., acquired, through transfer, a certificate of public convenience and necessity authorizing operations as a petroleum irregular route carrier by Decision No. 68567, dated February 9, 1965, in Application No. 47045. These rights were created by Decision No. 44471, dated June 27, 1950, in Application No. 31163.

The carrier has requested by letter a one year suspension of its operating authority while it attempts to locate a buyer for the certificate.

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 C & M TRUCK LINES, INC., a corporation, by Decision No. 68567, dated February 9, 1965, in Application No. 47045 is hereby suspended until February 28, 1974 or a date prior thereto.

2. Within sixty 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 tariffs presently on file with this Commission to reflect the authority herein granted.

3. During the period of suspension, C & M TRUCK LINES, INC., shall continue to file quarterly reports and pay fees pursuant to Section 5003.1 of the Public Utilities Code and to file an annual report in accordance with Commission regulations.

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, C & M TRUCK LINES, 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 series.

5. In addition to the requirements of paragraph 4, above, 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. C & M TRUCK LINES, 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 4 and 5 may be cause for further suspension or revocation of the operating authority of C & M TRUCK LINES, INC.

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

Dated at Los Angeles, California, this 6th day of March, 1973.

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

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

Vernon L. Sturgeon
President

William J. Sproull, Jr.

[Signature]
Commissioners