

Decision No. 83481**ORIGINAL**

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 rights of)
 THEODORE GIFFORD PENNINGTON,)
 conducted under and pursuant to)
 Decision No. 44471 dated 27 June)
 1950 in Application No. 31163.)

Application No. 47045

ORDER REVOKING OPERATIVE RIGHT

C & M Truck Lines, Inc., in a transfer proceeding, was authorized by Decision No. 68567, dated February 9, 1965, in Application No. 47045, to operate as a petroleum irregular route carrier. These rights were created by Decision No. 44471, dated June 27, 1950, in Application No. 31163.

At its request, the carrier was granted a one-year suspension of its operating authority in order to locate a buyer for the certificate.¹ The suspension expired February 28, 1974.

C & M Truck Lines, Inc., by letter to the Commission dated April 12, 1974, now asks that its certificate be revoked for the reason that it is no longer operating thereunder.² It states that there are a sufficient number of highway carriers serving the petroleum industry.

¹See Decision No. 81111 dated March 6, 1973 in this proceeding.

²The participation of C & M Truck Lines, Inc. in various tariffs of Western Motor Tariff Bureau, Inc. has been canceled by that bureau upon receipt of revocation of the power of attorney from the carrier.


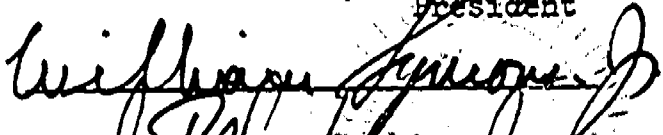
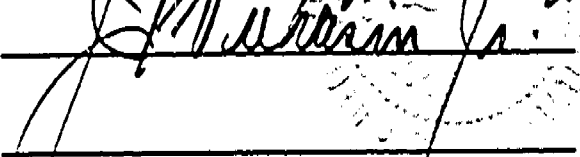
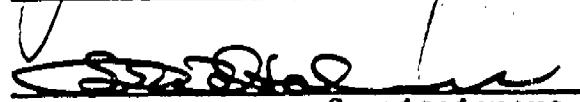
In the circumstances, the Commission finds that public Convenience and necessity no longer requires the services of C & M Truck Lines, Inc. in the area described in Decision No. 44471. A public hearing is not necessary. The Commission concludes that the certificate should be cancelled.

IT IS ORDERED that the certificate of public convenience and necessity to operate as a petroleum irregular route carrier acquired by C & M Truck Lines, Inc., by Decision No. 68567 dated February 9, 1965 in Application No. 47045 is hereby revoked and cancelled upon the effective date of this order.

The Secretary is directed to cause service of a certified copy of this order to be made upon C & M Truck Lines, Inc., or to mail a certified copy thereof to it at its last known address as shown in the Commission's records.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 24th day of September, 1974.


President



Commissioners

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