

**ORIGINAL**

Decision No. 83848

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of ROY F. PETERS, an individual, )  
to sell and transfer a certifi- )  
cate of public convenience and )  
necessity as a cement carrier to )  
PETERS TRUCKING SERVICE, INC., a )  
California corporation. )

Application No. 52050

SECOND SUPPLEMENTAL OPINION AND ORDER

By Decision No. 78335 dated February 22, 1971, in the above proceeding, the Commission granted a certificate of public convenience and necessity authorizing operations as a cement carrier to Peters Trucking Service, Inc. The certificate was subsequently amended by Decision No. 79051, dated August 24, 1971, to include an "alter ego" restriction because of the carrier's affiliation with a shipper.

It has now come to the Commission's attention that a similar situation exists with respect to another company, Ronan, Inc., which company could utilize the transportation services of Peters Trucking Service, Inc.

In the circumstances, the Commission finds that a carrier-shipper affiliation also exists between Peters Trucking Service, Inc., and Ronan, Inc., and concludes that a restriction denoting such fact should be inserted in the carrier's certificate. A public hearing is not necessary.

IT IS ORDERED that:

1. Appendix A of Decision No. 78335, as heretofore amended, is further amended by incorporating Second Revised Page 1, attached hereto, in revision of First Revised Page 1;

- (a) Within ninety days after the effective date of this order, applicant shall amend, in triplicate, the tariffs on file in the Commission's office, to reflect the authority herein granted.

- (b) The tariff filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public.

2. In all other respects, the provisions of Decision No. 78335, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this 17<sup>th</sup> day of December, 1974.

Vernon L. Sturgeon  
President  
William G. Brown Jr.  
[Signature]  
[Signature]  
Robert E. McDaniel  
Commissioners

Peters Trucking Service, Inc., a corporation, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to conduct operations as a cement carrier as defined in Section 214.1 of the Public Utilities Code from any and all points of origin to any and all points within the counties of Colusa, Nevada, Placer, Sacramento, San Francisco, San Mateo, Santa Clara and Sutter, subject to the following restrictions:

- \*1. Whenever Peters Trucking Service, Inc. engages other carriers for the transportation of property of Concrete Service Co. or Ronan, Inc., or customers or suppliers of said corporations, Peters Trucking Service, Inc. shall not pay such other carriers rates and charges less than the rates and charges published in Peters Trucking Service, Inc.'s tariffs on file with the Commission.
2. This certificate of public convenience and necessity shall lapse and terminate if not exercised for a period of one year.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

\*Amended by Decision No. 83848, Application No. 52050.