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ORIGINALDecision 87 10 080

OCT 2 1987

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of TOM-SON TANK LINES,)
 INC. for a certificate of public)
 convenience and necessity to operate)
 as a cement carrier, transporting)
 cement either alone or in combina-)
 tion with lime or powdered limestone)
 in bulk packages from points of)
 origin to points in San Bernardino,)
 Ventura, Los Angeles, Kern, Santa)
 Barbara, San Luis Obispo, Orange,)
 San Diego, Riverside, and Imperial)
 Counties.)

Application No. 86-02-004
 (Filed February 5, 1986)

ORDER MODIFYING D.87-07-022 AND
DENYING REHEARING

TOM-SON TANK LINES, INC. (Tom-Son) has filed an application for rehearing of Decision (D.) 87-07-022. We have considered all the allegations of error in the application and are of the opinion that good cause for rehearing has not been shown. Therefore,

IT IS ORDERED THAT:

1. Rehearing of D.87-07-022 is hereby denied.
2. D.87-07-022 is hereby modified as follows:
 - a. The first two sentences of the first full paragraph of page 13 are modified to read:

"The Commission has recently interpreted new legislation on the granting of certificates of public convenience and necessity for cement hauling. That interpretation was made in a decision denying an application to expand a cement certificate authority from 2 to 14 counties."

b. Conclusion of law No. 1 of D.87-07-022 is modified
to read:

"Applicant has failed to show a need for the proposed service, and has failed to rebut protestants' evidence that said service, if authorized, would impair the ability of existing carriers to provide adequate service at the lowest possible reasonable rates."

This order is effective today.

Dated OCT 28 1987, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
C. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.



Victor Weissner, Executive Director

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