

Decision 83 02 050 FEB 16 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of BULK TRANSPORTATION, a )  
corporation, to perform )  
transportation services for the )  
account of SOUTHWEST PORTLAND )  
CEMENT, in the movement of )  
gypsum at less than minimum )  
rates. )

Application 82-03-59  
(Petition for Modification  
filed September 1, 1982)

ORDER OF DISMISSAL

By Decision (D.) 82-08-098 dated August 18, 1982 in this proceeding, Bulk Transportation (applicant) was authorized to depart from the provisions of Minimum Rate Tariff (MRT) 7-A for the transportation of gypsum from U.S. Gypsum, Plaster City to Southwest Portland Cement, Victorville, subject to certain conditions.

On September 1, 1982, applicant filed a petition for modification of D.82-08-098. After review of the petition, the assigned administrative law judge advised applicant that it could not be acted upon ex parte until it was amended. As a result, applicant attempted to file an amendment to the petition which was not accepted for filing. The Commission's Docket Clerk notified applicant on November 8, 1982 as follows:

Please be advised that exhibits cannot be filed by themselves. In order for these to be filed, I will need the following: (1) Title Page and (2) Certificate of Service. I shall hold your filing until receipt of the above.

By letter dated December 17, 1982, the assigned administrative law judge advised applicant that he would recommend the petition for modification be dismissed for lack of prosecution if the documents requested by the Docket Clerk or advice of applicant's intentions were not received by January 5, 1983.

No response to the administrative law judge's letter having been received.

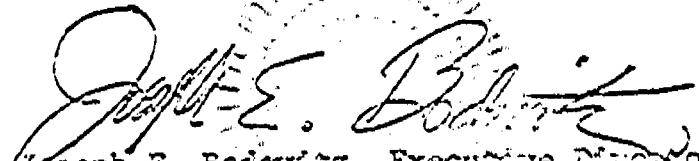
IT IS ORDERED that the "Petition for Modification of Decision 82-08-098 by applicant" filed on September 1, 1982 is dismissed.

This order becomes effective 30 days from today.

Dated FEB 16 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.  
President  
VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director