

SEG/HK

ORIGINAL

Decision No. S93S9 SEP 6 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of:)

BUDGIT TRUCK LINES)
a California corporation)

and)

L. J. CERKUEIRA)
An Individual)
doing business as)
C-WAY EXPRESS)

Application No. 57538
(Filed September 23, 1977)

for authority to sell and transfer)
operating rights of a Highway)
Common Carrier, pursuant to the)
provisions of Section 851, et seq.)
of the California Public Utilities)
Code.)

SUPPLEMENTAL OPINION AND ORDER

Decision 88570 dated March 7, 1978 in this proceeding granted authority to transfer a Certificate of Public Convenience and Necessity as a highway common carrier of general commodities to L. J. Cerkueira, an individual, doing business as C-Way Express. Said authorization was to expire by September 1, 1978 if not exercised by that date unless additional time was authorized by this Commission.

On July 26, 1978 counsel for the applicant filed a Petition to Extend the Time, for effecting the transfer to December 31, 1978. This request was occasioned by a delay in the issuance of an order by the Interstate Commerce Commission for the transfer of the related Certificate of Registration.

On August 8, 1978 a letter was received from applicant's counsel requesting that the Petition to Extend Time be disregarded,

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the Interstate Commerce Commission having issued an order approving transfer of the Certificate of Registration, which was served on August 3, 1978.

In the circumstances it appears that the Petition to Extend Time should be dismissed.

IT IS ORDERED that the Petition to Extend Time, filed by the applicant on July 26, 1978, is hereby dismissed.

This order is issued pursuant to Resolution A. 4638 dated March 9, 1977 and is effective on the date hereof.

Dated at San Francisco, California, this day 1st
of SEPTEMBER, 1978.

Frederick E. John
FREDERICK E. JOHN
Executive Director
Public Utilities Commission
State of California