

R4-11 EMBARGOES

(a) No carrier holding a franchise certificate has the right to issue an embargo on intrastate traffic against any carrier or any goods except upon application to, and approval by, the North Carolina Utilities Commission.

(b) A franchise certificate grants certain rights and the rights so granted therein presuppose a service to be rendered, and any embargo establishes a condition which the carrier does not have the right to impose; therefore, where the carrier desires to embargo any shipments, application must be made to the Commission for approval, and then the Commission will pass upon the necessity therefor.

(c) The procedure to be followed in connection with an embargo will be for the carrier desiring to establish same to notify the Commission in a letter, sending a copy of said letter to any and all carriers affected, after which the carriers receiving such notice shall have three days within which to advise the proponent and the Commission of their attitude thereon, after which the Commission will notify all parties to the proceeding if it desires to hold a public hearing thereon.

(SOURCE: N.C.U.C. Report 1943-44, p. 16.)