

ORIGINAL

Decision No. 28566

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
IRA W. W. McKAY for a license as) Application No. 27021
motor carrier transportation agent.)

IRA W. W. McKAY, in propria persona..

J. F. DU PAUL, City Attorney of San Diego, by
EDWARD H. LAW, Deputy, protestant..

WM. F. BROOKS, for The Atchison, Topeka & Santa Fe
Railway Company, and Santa Fe Transportation
Company, protestants..

BY THE COMMISSION:

O P I N I O N

Ira W. W. McKay, as the applicant herein, requests a license qualifying him as a motor carrier transportation agent as that term is defined in the Motor Carrier Transportation Agent Act Chapter 390, Statutes 1933, as amended). A public hearing was held by Examiner Gannon in San Diego on November 29, 1945.

For the past four years applicant has been in the employ of Consolidated Vultee Aircraft as a machinist, immediately prior to which he had been employed as an orange packer.. He resides at 6920 Fulton Street, San Diego, from which point the application states he proposes to operate. His testimony, however, is to the effect that he will make his headquarters at Linda Vista in San Diego County..

The record shows that applicant has had no experience which would fit him for the type of transportation service which he proposes to provide for the public. He offered no schedule to cover the item of fees for his services which would leave the way open for the exaction of a fee which might be exorbitant.. Other than his

statement that he would do so, there is no evidence in the record of applicant's financial ability to conduct this business.

Upon due consideration of all the facts of record in this matter, the Commission is of the opinion, and so finds, that applicant should not be granted a license to operate as a motor carrier transportation agent and the application will be denied.

O R D E R

Public hearing having been had in the above entitled proceeding, evidence having been received, the matter having been submitted and the Commission now being fully advised in the premises,

IT IS ORDERED that the application of Ira W. W. McKay for a license to operate as a motor carrier transportation agent, be and it hereby is, denied.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, December 25, 1945.

A. Harold Chubb
Justin J. Calmes
Francis W. Cline
Joseph H. Howell
Harold P. Heils
 COMMISSIONERS