

Decision No. 39237

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
NORMAN E. CURTIS for a license as ) Application No. 27495  
motor transportation broker. )

In the Matter of the Application of )  
BLAKE WILLSON PALAMOUNTAIN for a ) Application No. 27496  
license as motor transportation )  
broker. )

NORMAN E. CURTIS, in propria persona.  
BLAKE WILLSON PALAMOUNTAIN, in propria persona.

O P I N I O N

In the above entitled applications, Norman E. Curtis and Blake Willson Palamountain, individuals, respectively seek licenses authorizing them to engage in the business of motor transportation brokers pursuant to Chapter 705, Statutes of 1935.

A public hearing was held by Examiner Gannon at San Francisco on June 18, 1946. Both matters were heard on a common record and submitted. There was no protest to the granting of either application.

Both applicants have, according to the record, complied with the essential routine statutory requirements in connection with motor transportation broker proceedings in that they have individually prepared and filed applications, surety bonds, list of carriers and letters of authority from said carriers designating them as duly authorized transportation representatives. Both applicants are associated with Common Carriers Auxiliary Corporation, Curtis as Secretary and Palamountain as an employee.

Testifying in their own behalf, applicants both stated that they propose to act as intermediaries between the public and the carriers, to sell, or offer for sale, or negotiate for or hold themselves out as selling, furnishing and providing transportation on the public highways of this State, when such transportation is furnished, or offered or proposed to be furnished by a motor carrier, as defined in the Motor Transportation Broker's Act (Chapter 705, Statutes 1935). No carriers other than those from whom a proper letter of authority has been received will be represented.

It appears from the record that Curtis and Palamountain have arranged to represent twelve carriers, all of whom hold radial highway common carrier permits, six hold city carrier permits and two hold highway contract carrier permits.

The record herein shows that applicants are experienced and competent individuals and that they have fully complied with all the requirements of the Act. It shows, also, that the applicants are within the purview of the statutory definition of a motor transportation broker.

It appears from the record that the licenses sought should be issued, and the order will so provide.

O R D E R

A public hearing having been held in the above entitled proceedings, the matters having been duly submitted, and the Commission being fully advised in the premises,

IT IS ORDERED that the respective applications of Norman E. Curtis and Blake Willson Palamountain for licenses as

motor transportation brokers, as defined in Chapter 705, Statutes 1935, be and the same are hereby granted, and that such licenses be issued to each of said applicants subject to the following conditions:

1. That each of said licensees shall keep his respective license certificate as motor transportation broker open at all times to public inspection.
2. That each of said licensees shall do business as a motor transportation broker only at the location set forth in his application for a license and for the motor carriers hereinafter named, or for whom he may hereafter from time to time be permitted to do business by any subsequent order or orders of the Commission.

IT IS FURTHER ORDERED that the license of each of said applicants shall authorize him to sell, offer for sale, negotiate for, furnish, or provide and hold himself out to sell, negotiate for, furnish or provide transportation of property over the public highways of this State to be furnished only by the carriers whose names, addresses and permit numbers follow, to-wit:

<u>NAME</u>	<u>ADDRESS</u>	<u>PERMIT NO.</u>
Frank E. Simmons dba Simmons Trucking Co.	71 - 10th Street, Oakland	R-1-4656
Robert L. Pierce	1211 Union Street, Alameda	R-1-4559
Harold A. Lundtoft	1827 Elm Street, Alameda	R-1-4618 C-1-4619
Louie S. Nunes	405 C Street, Hayward	R-1-4020
August A. Alameda & David R. Chedester dba Chedester & Alameda	1630 C Street, Hayward	R-1-4514
Art Cleghorn dba Art Cleghorn Trucking	555 El Paseo, Oakland	R-1-4624
Albert J. Johnson	1164-88th Avenue, Oakland	R-1-4246
Kerby E. Smith	416 Rossmoor Avenue, Oakland	R-1-4637 C-1-4638
Frank M. Teikeira	5456 Bond Street, Alameda	R-1-4716 H-1-4717 C-1-4718

<u>NAME</u>	<u>ADDRESS</u>	<u>PERMIT NO.</u>
Otto J. Mariani	466 Pacific Avenue, Alameda	R-1-4563 C-1-4564
D. B. Vierra dba Vierra Motor Lines	P.O. Box 96, San Leandro	R-1-2040 H-1-2041 C-1-2042
Charles C. Scott	2728 East 21st Street, Oakland	R-1-4589 C-1-4555

IT IS FURTHER ORDERED that the Secretary of the Commission issue and deliver to each of said applicants a license certificate as such motor transportation broker in the form heretofore adopted by the Commission for such license certificate, and subject to the conditions hereinabove specified.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 30  
day of July, 1946.

Harold Rudner  
Justus F. Calver  
Frank W. Calver  
James P. Calver  
Harold P. Kuhl  
COMMISSIONERS