

Decision No. 41173

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WALTER J.)
SATEL and RICHARD N. CLAYTON, partners, doing)
business as "Day and Night Launch Service," for) Application No. 28531
a permit under the "For-Hire Vessel Act.")

Appearances

Luther E. Birdzell, for applicants. Reginald L. Vaughan,
for Harbor Tug and Barge Company, protestant. W. G. Westman,
for Bay Cities Transportation Company.

OPINION AND ORDER

By this application, as amended, Walter J. Sattel and Richard N. Clayton, doing business as Day and Night Launch Service, seek a permit under the For-Hire Vessel Act to operate the motor launch "Skate" on the inland waters of San Francisco Bay and its tributaries.

Applicants and a protestant participated in two days of public hearing held at San Francisco before Examiner Edwin Lake.

It is not necessary to detail the evidence adduced at these hearings. The record does not establish that applicants propose to operate under the provisions of the For-Hire Vessel Act, under which the application has been filed. Moreover, applicants stated that they do not propose to operate as a for-hire vessel carrier but intend to charter their vessel. Applicants are admonished that they may not operate as a for-hire vessel carrier or as a common carrier without first complying with statutory requirements. The application will be dismissed.

Good cause appearing,

IT IS HEREBY ORDERED that Application No. 28531, as amended, be and it is hereby dismissed.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this th 28 day of January, 1948.

R. J. [Signature]

[Signature]

[Signature]

Commissioners

DECISION No. 4173 CASE No. _____ APP. No. 28531