

Decision No. 41651

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CHARLES I. DOWD, doing business as)
DOWD'S EXPRESS & STORAGE, for autho-)
rization to effect changes in operating)
rights: - to abandon portions of his)
certificated route and to use alternate)
route between Oakland and certain Marin)
County points.)

Application No. 27789

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 41485, dated April 20, 1948, in this proceeding, the Commission, after rehearing, authorized applicant to abandon operations as a highway common carrier of furniture and household goods, including baggage, between certain points in Marin County.

The certificate of public convenience and necessity governing applicant's highway common carrier operations - granted by Decision No. 16737, dated May 17, 1926, in Application No. 11337 - authorized the transportation of the articles mentioned "between Mill Valley and Oakland and intermediate points, and between Mill Valley and San Francisco and intermediate points, also between Sausalito and San Rafael, serving Mill Valley and intermediate points." In permitting the discontinuance of the intra-Marin County operations the provisions of the certificate of public convenience and necessity was amended by striking therefrom the clause "also between Sausalito and San Rafael, serving Mill Valley and intermediate points."

By petition, filed April 30, 1948, applicant seeks an order modifying the form of the order amending his certificate. It

is stated that the amendment appears to have the effect of unintentionally eliminating authority to transport shipments between San Francisco and Oakland, on the one hand, and Sausalito and San Rafael and intermediate points, on the other hand.

The authority conferred by Decision No. 16737, supra, did not specify the routes over which applicant's operations shall be conducted. A number of changes have occurred since 1926 in the roads and highways over which trucks are operated in serving some of the Marin County communities. In addition, by Decision No. 40509, dated July 8, 1947, in this proceeding, applicant was authorized to use the San Francisco-Oakland Bay Bridge and Golden Gate Bridge in conducting operations to and from San Francisco and Oakland.

Under the circumstances, it appears that the proposed modification sought by applicant is desirable as a means of clarifying the scope of the authority embraced in his highway common carrier operative rights. A further hearing is not necessary. Therefore,

IT IS ORDERED that paragraph 1 of the order in Decision No. 41485, dated April 20, 1948, in this proceeding be and it is hereby amended to read as follows:

1. That the declaratory paragraph of the order in Decision No. 16737, dated May 17, 1926, in Application No. 11337, be and it is hereby amended to read as follows:

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the operation by Charles I. Dowd of an automobile truck line as a common carrier of furniture and household goods, including baggage, between San Francisco and Oakland, on the one hand, and Sausalito, San Rafael and Mill Valley and intermediate points, on the other hand.

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

Dated at San Francisco, California, this 25th day of May, 1948.

R. J. [Signature]
Justin F. [Signature]
Irving H. [Signature]
Harold P. [Signature]
Kenneth [Signature]
COMMISSIONERS