Decision No. _____44349_____   ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In respect to the application of   )
Pacific Union College Association   )
(College Garage) for authority to   )
operate as a Petroleum Irregular   )
Highway Common Carrier between our   )   Application No. 31190
storage tank in Angwin and Individual)
customers in Angwin and Sanitarium   )
and Pope Valley or a radius of about)
eight miles.   )

O P I N I O N

Pacific Union College Association herein requests a certificate of public convenience and necessity to operate as a petroleum irregular route carrier for the transportation of butane or propane gas between its storage tanks in Angwin and individual customers within a radius of eight miles including Pope Valley, Angwin and Sanitarium, pursuant to the provisions of Section 50-3/4 of the Public Utilities Act, as amended by Statutes 1949, Chapter 1399.

Applicant alleges that it is engaged in the business of selling butane gas to its staff of workers and individuals residing in the area above named; that the delivery of gas to such persons is part of the sale thereof; that it does not transport such gas on behalf of some one other than itself; that such users are entirely dependent upon its service for cooking and heating of their homes; that deliveries are not regularly scheduled, service being furnished as gas is required; that no regular route is followed; that no one else is engaged in rendering such service locally.

The Commission is of the opinion that applicant's activities in the sale and delivery of butane gas are proprietary in character and therefore do not come within purview of the statute. The application will be dismissed. A public hearing is not necessary.

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O R D E R

An application having been filed, the Commission being informed with respect thereto, and good cause appearing

IT IS ORDERED that Application No. 31190 be and the same is hereby dismissed.

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

Dated at San Francisco, California, June 20, 1950.

COMMISSIONERS