

ORIGINAL

Decision No. 45067

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
WALTER F. PETERS and MYRON D. PETERS,
a copartnership, doing business as
PETERS TRUCK LINES, for clarification
of Decision No. 44034.

Application No. 30007

ORDER DENYING PETITION FOR
CLARIFICATION OF CERTIFICATE

This is a petition for clarification of the order in
Decision No. 43034, Application No. 30007, issued April 11, 1950.

Paragraph (1) of said order provides,

"That a certificate of public convenience and
necessity is hereby granted to Walter F. Peters
and Myron D. Peters, authorizing the establishment
and operation of service as a highway common
carrier, as defined in Section 2-3/4 of the Public
Utilities Act, for the transportation of property be-
tween San Francisco, South San Francisco, Oakland,
Berkeley, Alameda, San Leandro, Albany, El Cerrito,
Richmond, Piedmont, Emeryville, San Pablo, Sacramento,
and North Sacramento, on the one hand, and, on the
other hand, from the southern boundary of Castella to
Hilt, including all intermediate points between
Castella and Hilt on U. S. Highway 99, and the off-
route points of Fort Jones, Etna, Greenview, Montague,
Grenada, Edgewood and all points intermediate thereto.

"Said certificate herein granted is subject to the
following restriction:

"Applicants may not transport household goods and
related commodities."

Applicant contends that its proposal was also to provide
service between all points north of the southern boundary of
Castella. In effect, applicant is now requesting authority to
provide local service between Castella and Hilt and intermediate

points, including the off-route points of Fort Jones, Etna, Green-
view, Montague, Grenada, Edgewood and intermediate points. The
order specifically grants applicant what he asked for in his original
application--nothing more or nothing less. In fact, the language
of the prayer is substantially identical with that of paragraph
(1) of the order. The purpose of clarification is to correct
ambiguity, obscurity, or uncertainty in the language used by the
Commission in expressing its intent. None of these defects or
weaknesses exists here.

There is no necessity for clarification. The order speaks
for itself. Therefore, and good cause appearing,

IT IS ORDERED that the petition be and it is hereby
dismissed.

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

Dated at San Francisco, California, this 24th day of
November, 1950.

Justin F. Calver
Harold T. Kula
Commissioners
COMMISSIONERS