

Decision No. 49874**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ARTHUR R. KERSTETTER for a) Application No. 35265
license as a Motor Transportation)
Broker.)

O P I N I O N

In the above-entitled application Arthur R. Kerstetter seeks a license to engage in business as a motor transportation broker as defined in Section 4803 of the Public Utilities Code.

Applicant states that he resides at 1631 Olive Avenue, Fresno. He proposes to conduct business as a motor transportation broker at Room 320, Rowell Building, 2100 Tulare Street, Fresno, California.

Applicant proposes to arrange for transportation of general commodities intrastate within California. He proposes to charge the carriers a fee varying from 5 per cent to 10 per cent of the transportation charges, which fee will be graduated according to the volume of the traffic handled by the carriers for whom he will solicit transportation.

Attached to the application are letters of two motor carriers authorizing applicant to sell transportation over their lines, viz:

<u>Name</u>	<u>Address</u>	<u>Permit No.</u>
Fresno Transport and Storage, Inc.	1350 Merced Street Fresno, California	R-10-7905 C-10-7906 H-10-7988
Hefley Trucking Co.	1763 G Street Fresno, California	R-10-5899

Applicant asserts that he has not previously sold, offered for sale, negotiated for or held himself out to furnish, sell or

provide transportation by motor carrier. He does not plan to enter into any contracts with carriers. Shippers and carriers will be brought into contact with each other orally or by letter. Applicant will not carry any cargo insurance, C.O.D. bonds or other insurance or bonds other than that required by Section 4838 of the Public Utilities Code, unless it should develop that some sort of insurance is advisable. In such event the Commission will be notified in that regard.

After full consideration of all the evidence in this proceeding we find no reason to withhold issuance of the license sought by applicant, which will be granted. A surety bond in the form required by law has been filed.

O R D E R

An application as above entitled having been filed, and based upon the conclusions expressed in the foregoing opinion,

IT IS ORDERED:

- (1) That a license is hereby granted to Arthur R. Kerstetter to act as a motor transportation broker as defined in Section 4803 of the Public Utilities Code subject to the following conditions:
 - (a) That licensee shall keep his license certificate as a motor transportation broker available at all times to public inspection.
 - (b) That licensee shall do business as a motor transportation broker only at 2100 Tulare Street, Fresno, California, and for 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.
- (2) That the license of said applicant shall authorize him to sell, offer for sale, negotiate for, furnish or provide transportation

of property over the public highways of this state to be furnished only by the carriers whose names and addresses are as follows:

<u>Name</u>	<u>Address</u>	<u>Permit No.</u>
Fresno Transport and Storage, Inc.	1350 Merced Street Fresno, California	R-10-7905 C-10-7906 H-10-7988
Hefley Trucking Co.	1763 G Street Fresno, California	R-10-5899

(3) That the Secretary of the Commission issue and deliver to said applicant a license certificate as a motor transportation broker in the form heretofore approved by the Commission for such license certificate and subject to the conditions hereinabove specified.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 27th day of March, 1954.

A. J. Anderson
President

Justina J. Campbell

Frederick P. Potter

John E. Mitchell

Desiree Joaquin
Commissioners