

ORIGINAL

Decision No. 50708

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
	:	
PRICKETT TRANSPORTATION CO. INC.)	Application
	:	No. 35857
to Borrow Money.)	
-----	:	

ORDER OF DISMISSAL

In this application the Commission is asked to make an order authorizing George W. Prickett and Ella M. Prickett to execute a deed of trust and to issue a note in the principal amount of \$16,000 for the purpose of refinancing existing indebtedness.

The application shows that George W. Prickett and Ella M. Prickett are the owners of certain real property in the Town of Salida, which is being utilized in part as a truck terminal by Prickett Transportation Co. Inc., a corporation of which George W. Prickett is president, and that this application has been filed because of the use being made by the transportation company.

However, information on file with the Commission shows that Prickett Transportation Co. Inc. is engaged in business as a radial highway common carrier, a highway contract carrier and a city carrier and that neither it nor George W. Prickett and Ella M. Prickett individually conduct any operations as public utilities as defined by the Public Utilities Code. In our opinion neither the corporation nor the individuals are required to obtain the Commission's approval of the proposed financing and accordingly the application should be dismissed for want of jurisdiction.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Application No. 35857 be, and it hereby is, dismissed without prejudice for want of jurisdiction.

Los Angeles

Dated at ~~San Francisco~~, California, this 26th day of

~~October~~
November, 1954.

(PP)

(PP)

John E. Mitchell
President

Justice F. Calmes
Kenneth J. Tolson

James Roggins

Ray E. Lintarone
Commissioners