

ORIGINALDecision No. 51011

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of RUSSELL E. ELLIS, an individual)
doing business as R. E. ELLIS)
DRAYING CO., for a certificate of) Application No. 35201
public convenience and necessity)
to operate as a highway common)
carrier.)

Edward M. Berol, Bertram S. Silver and Thomas P. Brown, for applicant.
Douglas Brookman, Willard S. Johnson and William E. Shuholm, for various carriers, protestants.
Russell Bevans, for Draymen's Association of San Francisco; Maurice A. Owens, for Draymen's Association of Alameda County; Norman R. Moon, for Loretz and Co.; Daniel W. Baker, Marvin Handler, Frank Loughran, Arthur D. Nearon, and Vaughan, Paul and Lyons by John G. Lyons, for various carriers, interested parties.

O P I N I O N

Applicant is one of the group of carriers whose problems precipitated the investigation designated by the Commission as Case No. 5535. Hearings were held on this application in connection with that case. Evidence of community growth and the resulting expansion of carrier operations, as developed in Case No. 5535, was found to apply to this applicant and to have materially influenced his activities. In addition, a hearing on this application alone was held before Examiner John Power in San Francisco on August 25, 1954. On that occasion applicant presented evidence covering the history, finances, equipment, facilities and personnel of his organization.

Applicant testified that he began his business in 1947 with six vehicles, three to four employees and thirty to fifty customers. Prior to going into business for himself, applicant had eleven years of experience in local and trucking operations.

The financial evidence presented by applicant was not sufficiently clear to the Commission to enable it to render a decision at this time. For that reason the previous submission should be set aside and the matter set for further hearing.

O R D E R

Application having been filed, the Commission having considered the same and good cause appearing,

IT IS ORDERED:

That the submission in Application No. 35201 be and it is set aside and the matter referred to Commissioner Ray E. Untereiner and Examiner John Power for such further proceedings as may be appropriate.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 25th day of JANUARY, 1955.

John E. ...
 President

Justin F. ...

Ray E. Untereiner

John Power

Commissioners