

**ORIGINAL**

Decision No. 51615

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Martin Semper )  
to operate a Highway Common )  
Carrier Service. )

Application No. 35980  
(As Amended)

O P I N I O N

Martin Semper is a highway carrier engaged in the transportation of property in California pursuant to permits issued him by this Commission.

He seeks an order authorizing him to conduct service as a highway common carrier for the transportation of cotton, wool and farm commodities between San Francisco, Oakland and Stockton and between various points between Wheeler Ridge and Merced.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

Upon consideration of the allegations of the application and the representations filed pursuant to the above-mentioned notice, it appears that as of the date of the filing of the application applicant was conducting his operations within the scope of the permitted authority heretofore issued by this Commission. Such operations not having constituted highway common carriage, the sought certificate of public convenience and necessity is not a requisite for their continuance. The application will therefore be denied.

ORDER

The Commission has considered the application and representations filed herein, Now Therefore

IT IS ORDERED that Application No. 35980 is denied.

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

Dated at San Francisco, California, this 28<sup>th</sup> day of June, 1955.

[Signature]  
 President

[Signature]

[Signature]

[Signature]  
 Commissioners