

**ORIGINAL**Decision No. 51936

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
E. R. Lovell, an individual, for a )	
certificate of public convenience )	Application No. 36310
and necessity to operate as a high- )	
way common carrier for the transpor- )	
tation of property. )	

O P I N I O N

E. R. Lovell is engaged in the transportation of property in California pursuant to a permit issued by this Commission.

He seeks an order authorizing him to conduct service as a highway common carrier for the transportation of general commodities, with certain exceptions, generally between all points and places in California north of the northern boundaries of Orange and Riverside Counties.

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.

O R D E R

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

IT IS ORDERED that Application No. 36310 is denied.

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

Dated at San Francisco, California, this 6th day of September, 1955.

Julius E. Mitchell  
President

Justus J. Cassner  
J. B. Hardy

Commissioners