

Decision No. 52000**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 F. N. RUMBLEY COMPANY, a corporation,)
 for a certificate of public conven-)
 ience and necessity authorizing the)
 transportation of compressed gases)
 and liquid commodities in bulk,)
 excepting petroleum products, between)
 specified California points.)

Application No. 36251

O P I N I O N

F. N. Rumbley Company, a corporation, is engaged in the transportation of property in California pursuant to permits issued by this Commission.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of compressed gases and liquid commodities in bulk, excepting petroleum products,

- (1) Between Richmond and points within 50 miles thereof, on the one hand, and, on the other, all points and places in the State of California;
- (2) Between Los Angeles and points within 50 miles thereof, on the one hand, and, on the other, all points and places in the State of California; and
- (3) Between points and places on U. S. Highway No. 99 between Stockton and Bakersfield, including Stockton and Bakersfield and all off-route points within 50 miles laterally from U. S. Highway No. 99, on the one hand, and, on the other, all points and places in the State of California.

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. 36251 is denied.

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

Dated at San Francisco, California, this 27th day of September, 1955.

John E. Hoptwell
President
Justin J. Casanova
Paul J. Linterman
William J. Foley
B. Harty
Commissioners