

Decision No. 52059**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 LEE G. GARRISON, an individual, doing )  
 business as DIAMOND "G" TRUCKING, for a )  
 Certificate of Public Convenience and ) Application No. 36325  
 Necessity to operate as a Highway Common )  
 Carrier for the transportation of )  
 property. )

O P I N I O N

Lee G. Garrison 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, except petroleum products in bulk in tank trucks, uncrated household goods, furniture, explosives, livestock and articles of unusual value in shipments of 20,000 pounds or more or those shipments rated at a minimum of 20,000 pounds between points in Butte County and between all points in all counties north of San Luis Obispo, Kern and San Bernardino 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 his 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. 36325 is denied.

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

Dated at San Francisco, California, this 11<sup>th</sup> day of October, 1955.

John E. Hatcher  
President

Justin D. Casper

Paulo L. Ferreira

William J. Foley

R. Hardy  
Commissioners