

**ORIGINAL**

Decision No. 52110

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of FRANK W. BROWN, JR., )	
dba FRANK BROWN, for a certificate )	Application No. 36178
of public convenience and necessity. )	

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O P I N I O N

Frank W. Brown, Jr. is engaged in the transportation of property in California pursuant to permits issued by this Commission.

He seeks an order authorizing him to conduct service as a highway common carrier for the transportation of certain named commodities between points in all the counties of the state, except nineteen thereof as named.

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. 36178 is denied.

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

Dated at San Francisco, California, this 18th day of OCTOBER, 1955.

John E. Mitchell  
President  
Justin J. Cannon  
Frank Interemir  
William K. Hoken  
R. Hardy  
Commissioners