

**ORIGINAL**Decision No. 52194

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of M. COMAICH, an individual )  
doing business as M. COMAICH )  
COMPANY, for a certificate of )  
public convenience and necessity )  
authorizing the transportation )  
of property between specified )  
San Francisco Bay points. )

Application No. 35851

O P I N I O N

M. Comaich 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 general commodities, with certain exceptions, generally between San Francisco, San Pablo, Mount Eden and San Jose, and intermediate points.

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. 35851 is denied.

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

Dated at San Francisco, California, this 7<sup>th</sup> day of November, 1955.

John E. Mitchell  
President

Justin J. O'Brien

Ronald L. O'Brien

William J. O'Brien

R. N. O'Brien  
Commissioners