

Decision No. 52352**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 GARDEN CITY TRANSPORTATION CO., LTD.,)
 for a certificate of public conveni-) Application No. 35952
 ence and necessity to operate a)
 highway common carrier service.)

O P I N I O N

Garden City Transportation Co., Ltd., is engaged in the transportation of property in California pursuant to permits and a certificate of public convenience and necessity issued by this Commission.

Applicant seeks an order authorizing it to conduct service as a highway common carrier for the transportation of commodities requiring refrigeration all or part of the year, generally between Yuba City, Calistoga and Santa Rosa and the California-Mexican Border via the coast and valley highways, including points 25 miles laterally of the highways.

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 its 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. 35952 is denied.

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

Dated at San Francisco, California, this 12th day of December, 1955.

John E. Mitchell
President

Justin J. Baer

Paul W. Brown

Mark J. Spalding

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Commissioners