

Decision No. 52420**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of: )  
 JACK FARNELL, an individual, doing busi- )  
 ness as LOS ANGELES TURF EXPRESS, for a )  
 certificate of public convenience and )  
 necessity to operate as a highway common )  
 carrier of horses, other than ordinary, )  
 between various points and places in )  
 California, pursuant to Section 1063 of )  
 the Public Utilities Code of the State )  
 of California. )

Application No. 35978

O P I N I O N

Jack Farnell is engaged in the transportation of property in California pursuant to permits issued by this Commission.

Applicant seeks an order authorizing him to conduct service as a highway common carrier for the transportation of horses, other than ordinary, and in connection therewith, personal effects of attendants, equipment, materials, supplies and mascots used in the care and exhibition of such animals, generally state-wide.

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 applications 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: 35978 is denied.

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

Dated at San Francisco, California; this 28<sup>TH</sup> day of DECEMBER, 1955.

E. M. Mitchell  
President

Justin J. Cisneros

Paul G. Linterman

William J. Doolin

Commissioners