

Decision No. 52612**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 TED V. SCHMIDT, an individual doing)
 business as the SCHMIDT TRANSPORTATION)
 CO., for a Certificate of Public) Application No. 36326
 Convenience and Necessity to operate)
 as a Highway Common Carrier for the)
 transportation of property.)

O P I N I O N

Ted V. Schmidt 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 general commodities, with certain exceptions, generally between all points in the Counties of Los Angeles, Kern, Tulare, Kings, Madera, Merced, Mariposa, Stanislaus, Santa Clara, Alameda, Contra Costa, San Joaquin, Sacramento, San Mateo, Solano, Monterey, San Luis Obispo, Santa Barbara and Ventura.

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. 36326 is denied.

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

Dated at San Francisco, California, this 17th day of February, 1956.

John L. Marshall
President

James J. Quinn

Paul J. [unclear]

[unclear]

Commissioners