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Decision No. 52876

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of R. E. BISNETT, doing business )  
as BISNETT BROS., for the removal )  
of certain restrictions from his )  
certificate of public convenience )  
and necessity to operate as a )  
highway common carrier. )

Application No. 37830

O P I N I O N

R. E. Bisnett, doing business as Bisnett Bros., is engaged in the transportation of property in California, pursuant to permits and a certificate of public convenience and necessity issued by this Commission.

Such certificate authorizes applicant to conduct service as a highway common carrier for the transportation of general commodities, with limited exceptions, between Monterey and points and places within five miles thereof, except Fort Ord, on the one hand, and the San Francisco Territory, on the other hand. Said authority is subject to the restriction that applicant shall not transport any shipments of (1) canned goods, can covers, fibre cartons, mustard sauce, cannery machinery, tin plate, fish meal bags, chlorine tanks (full or empty) or empty oil drums which weigh less than 4,000 pounds, or (2) any other commodity which weighs less than 10,000 pounds or on which the transportation charges are less than those applicable to a shipment weighing 10,000 pounds.

Applicant seeks an order removing such weight restrictions from the certificate above mentioned. As justification for the authority sought applicant alleges that the aforesaid weight restriction has led to confusion among his employees and customers; that as a result shipments have been accepted and transported which have exceeded the scope of his certificated authority; that in the

past several years the competition of permitted carriers has been keenly felt due to the fact that such carriers are capable of providing a complete service without being hindered by like weight restrictions; and that the relief herein sought is consistent with the Commission's recent decisions removing such restrictions.

Upon consideration of the allegations of the application, the Commission finds that public convenience and necessity require that the application be granted. A public hearing is not necessary.

O R D E R

Application having been filed, the Commission having been informed in the premises,

IT IS ORDERED:

(1) That the weight restrictions set forth in paragraph (2)(b) of Decision No. 44518, dated July 11, 1950, in Application No. 30611, are hereby deleted therefrom.

(2) That all other restrictions in Decision No: 44518 shall remain in full force and effect.

(3) That within sixty days after the effective date hereof, and upon not less than ten days' notice to the Commission and to the public, applicant shall establish the service herein authorized and file in triplicate, and concurrently make effective appropriate tariffs satisfactory to the Commission.

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

Dated at San Francisco, California, this 10<sup>th</sup> day of April, 1956.

John E. Whitely  
President  
Justus F. Caldwell  
Charles W. Winters  
R. Hardy

Commissioners