

Decision No. 54337

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ERNEST E. STUBBLEFIELD for the)
renewal of license as a motor)
transportation broker for the year)
1957.)

Application No. 38658

O P I N I O N

In the above-entitled application Ernest E. Stubblefield states that he desires to continue business as a motor transportation broker during the year 1957 for which he has heretofore been licensed as shown by the Commission's Decision No. 52631 in Application No. 38658.

Applicant states that his brokerage business would be continued at Room 228, Wholesale Terminal Building, 1304 East Seventh Street, Los Angeles 21, California. Applicant requests authority to continue as a broker for the same twenty truck carriers for whom he has been licensed to act and for ten new carriers.

Applicant describes his present operation as follows:

Applicant's business consists of arranging for transportation in interstate commerce of unmanufactured agricultural commodities which are exempt from regulation by Section 203(b)(6) of the Interstate Commerce Act (See Determination of Exempted Agricultural Commodities, 52 M.C.C. 511). The motor carriers for which such transportation is arranged are engaged in interstate commerce and are not required to hold any certificates or permits from the Interstate Commerce Commission. Consequently, most of the carriers for which applicant arranges transportation vary from time to time and applicant never knows from one day to the next when a new or different carrier will contact him and desire to have him arrange transportation for it. These carriers perform transportation

which is not subject to the Interstate Commerce Act from points in Washington and Oregon. Under the circumstances there is not sufficient time for applicant to obtain from new or additional carriers a letter of authority, file it with this Commission, file an amendment to his application for authority to arrange transportation for such carrier and have such amendment approved by the Commission, before applicant arranges transportation for such carrier. Applicant requests that just as soon as the name of any such additional carrier is known and applicant has arranged transportation for such carrier, applicant be permitted to furnish the Commission the name and address of such carrier and a letter of authority from such carrier so that the applicant's license can be amended to include such carrier.

It is apparent from the foregoing description that applicant's operation is confined to the same type of transportation of exempt commodities as that of D. D. Byrnes and Richard A. Johanson whose applications are being considered currently by the Commission.

After full consideration of applicant's request we find no reason to withhold the reissuance of the license as applied for. It will be granted under the same terms and conditions as those granted to other brokers engaged exclusively in the arrangement for transportation of unmanufactured agricultural commodities in interstate commerce which is exempt from regulation by Section 203(b)(6) of the Interstate Commerce Act. Applicant has on file a surety bond as required by Section 4838 of the Public Utilities Code.

We see no need for a public hearing in this proceeding.

O R D E R

An application as above entitled having been filed, and based upon the conclusions expressed in the foregoing opinion,

IT IS ORDERED:

(1) That a license is hereby granted to Ernest E. Stubblefield to act as a motor transportation broker as defined in Section 4803 of the Public Utilities Code subject to the following conditions:

- (a) That said licensee shall keep his license certificate as a motor transportation broker posted at his authorized place of business so that it is readily available to public inspection at all times.
- (b) That said licensee shall do business as a motor transportation broker, only at Room 228, Wholesale Terminal Building, 1304 East Seventh Street, Los Angeles, until otherwise authorized by the Commission, and for motor carriers hereinafter named, or for whom he may hereafter from time to time be permitted to do business by any subsequent order or orders of the Commission and all other names which may be included in this order by amendment effected by applicant stating their names and addresses in one or more letters addressed to this Commission and duly deposited in the United States mails with appropriate stamps affixed to such letter or letters and such mailing shall be completed prior to the performance of any transportation arranged by applicant.

(2) That the license of said applicant shall authorize him to sell, offer for sale, negotiate for, furnish or provide transportation over the public highways of this State in interstate commerce of unmanufactured agricultural commodities which is exempt from regulation by Section 203(b)(6) of the Interstate Commerce Act and stated in Determination of Exempted Agricultural Commodities, 52 M.C.C. 511, on behalf of said motor carriers who hold no certificates or permits from the Interstate Commerce Commission or from this Commission and who are insured or for whom applicant shall procure cargo insurance equal to the value of the cargo, provided insurance in the sum of \$10,000 shall suffice.

(3) That the Secretary of the Public Utilities Commission shall issue and deliver to Ernest E. Stubblefield a license certificate as a motor transportation broker in the form heretofore adopted by the Commission for such license certificate and subject to the conditions hereinabove set forth provided that the names of the motor carriers applicant is authorized to serve need not be set forth therein but in the space provided in said license certificate for such names there shall be stated the following:

"Licensee is authorized only to negotiate for or hold himself out as one who furnishes or provides transportation in interstate commerce over the public highways as a motor transportation broker on behalf of the motor carriers now included in the order of the Public Utilities Commission granting this license or subsequently included by amendment."

The effective date of this order shall be January 1, 1957.

Dated at San Francisco, California, this 27th

day of DECEMBER, 1956.

[Signature]
President
[Signature]
[Signature]
[Signature]

Commissioners