

ORIGINALDecision No. 54518

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LYLE V. SCOTT, doing business as)
 SCOTT TRANSPORTATION COMPANY, to)
 operate as a highway common carrier)
 service.)

Application No. 36350

Cunningham, Parry and Holcomb by
James E. Cunningham, Sr., for applicant.
 Glanz and Russell by Theodore A. Russell
 and R. Y. Schureman for Desert Express
 and Victorville-Barstow Truck Lines;
Merrill K. Albert for Santa Fe Transportation
 Co.; protestants.

O R D E R

It appearing that by Decision No. 51748, dated July 26, 1955 in this proceeding a certificate of public convenience and necessity as a highway common carrier was granted to applicant; that said decision provided that it would take effect ninety days after its date; that on October 13, 1955 a petition for hearing and reconsideration of said Decision No. 51748 was filed herein by Desert Express which said petition was denied by the Commission by Decision No. 52146, dated October 25th herein; that said Decision No. 51748 thereupon became final; that thereafter and on November 21, 1955 Desert Express filed its second and supplemental petition for hearing and reconsideration herein which was granted by the Commission on December 20, 1955; and

It further appearing that said certificate was accepted in writing by applicant under date of November 28, 1955 and that

since said acceptance applicant has filed rates and instituted the service authorized by said Decision No. 51748; and

It further appearing that a public hearing was held before Examiner John Power at Los Angeles on August 29, 1956; that at said hearing evidence both oral and documentary was received and the matter submitted; and

It further appearing that the Commission has considered this matter, and basing its decision upon the pleadings and the evidence adduced herein it finds and concludes that the record does not disclose evidence sufficient to require the revocation or cancellation of the certificate hereinabove referred to; and good cause appearing,

IT IS ORDERED:

That Decision No. 51748 issued herein on July 26, 1955 be, and it is, reaffirmed.

Dated at San Francisco, California, this 11th day of FEBRUARY, 1957.

[Signature]
President

[Signature]

[Signature]

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Commissioners