

ORIGINALDecision No. 55084

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of R. O. KOCH and BEN FITCH, a)
partnership doing business as)
FREIGHT EXPRESS COMPANY, for a)
certificate of public convenience)
and necessity to operate a highway)
common carrier service.)

Application No. 36088

O P I N I O N

Applicants operate as a highway carrier engaged in the transportation of property in California pursuant to permits issued by this Commission.

They sought an order authorizing them to conduct service as a highway common carrier for the transportation of two separate local services, one between points on and near San Francisco Bay and the other between Los Angeles and points in the vicinity of that city.

Notice of filing of the application was given all common carriers subject to the jurisdiction of this Commission.

On March 27, 1957 applicants filed an amendment to their application. In this they allege that the business is actually operated by Hawaiian Freight Forwarders, Ltd., an interstate freight forwarder.

Upon consideration of the allegations of the amended application and the representations filed pursuant to the above-mentioned notice, it appears that public convenience and necessity do not require that the application be granted for the reason that

Hawaiian Freight Forwarders, Ltd., possessed operating authority sufficient to authorize services performed by it prior to September 10, 1953.

The applicants are hereby placed on notice that the Commission, by this decision, makes no finding and expresses no opinion as to whether applicants have or have not been conducting their operations within the scope of their permitted authority since September 10, 1953; and that the provisions of Section 1063 of the Public Utilities Code will be strictly enforced.

O R D E R

The Commission having considered the application, the amendment, and the representations filed herein, Now Therefore IT IS ORDERED that Application No. 36088 is denied.

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

Dated at San Francisco, California, this 4th day of JUNE 1957.

W. L. ...
 President

Paul ...

...

R. ...

E. ...
 Commissioners