

ORIGINAL

Decision No. 55788

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
OSCAR GLOISTEIN, an individual, )	
doing business as GLOBE DRAYAGE, )	
for a certificate of public con- )	Application No. 36064
venience and necessity authorizing )	
operations as a highway common )	
carrier between San Francisco and )	
San Jose and intermediate points. )	

ORDER DENYING PETITION FOR REHEARING AND RECONSIDERATION OF DECISION NO. 54016

It appearing that Application No. 36064 was one filed pursuant to Decision No. 50448 in Case No. 5478, and

It appearing that pursuant to the procedure established by the Commission for the processing of such applications Decision No. 54016 was issued, dated October 30, 1956, and became effective ninety days after such date, and

It appearing that Decision No. 54016 authorized applicant to transport specifically named commodities between San Francisco, on the one hand, and points on U. S. Highways 101 and 101 By-Pass from San Francisco to and including San Jose, on the other hand, and

It appearing that applicant on October 4, 1957 filed a petition for rehearing and reconsideration of Decision No. 54016 requesting that Decision No. 54016 be modified to provide for the transportation of general commodities, and

The Commission having concluded that petitioner's failure to file a petition for reconsideration until more than eight months had elapsed since the effective date of Decision No. 54016 constitutes laches, and

A. 36064 MK

The Commission being of the opinion, therefore, that petitioner may no longer have recourse to the procedure hereinabove mentioned,

IT IS ORDERED that the petition for rehearing and reconsideration is denied.

Dated at San Francisco, California, this 5<sup>th</sup> day of November, 1957.

         President  
Ray L. Lawrence  
          
          
          
         Commissioners