

ORIGINALDecision No. 57075

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 JAMES R. MORRIS and DIANE MORRIS,
 dba SANTA ROSA MOTOR FREIGHT, for a
 Highway Contract Carrier Permit to
 operate between Eureka and Los Angeles
 (Appl. No. 49-1893, File No. T-63,173).

Application No. 39936

James Russell Morris, for applicants.
Armand Karp, for Callison Truck Lines, Inc.,
 protestant.
Arthur J. Lyon, for the Commission staff.

O P I N I O N

Applicants, on March 3, 1958, filed their application for a highway contract carrier permit, pursuant to Section 3572 of the Public Utilities Code. Prior permits issued to applicant James Russell Morris have been revoked for failure to have proper insurance on file with the Commission.

Public hearing was held on June 4, 1958, in Santa Rosa before Examiner Rowe, at which time evidence was adduced and the matter duly submitted for decision.

The staff assisted in developing the record. Applicant James Russell Morris who will be the managing partner was questioned as to his knowledge of Commission requirements and as to applicable tariffs and taxes. On January 27, 1958, an employee of said applicant was killed in an accident in Los Angeles County. At that time applicant had the required insurance coverage. This applicant early in January of this year was convicted of transporting property as a highway carrier without the required permit.

Counsel for protestant Callison Truck Lines, Inc., stated that it had no objection to granting operative rights to applicants if they did not propose serving the San Francisco area. Applicant James Russell Morris testified that his difficulty with insurance companies in the past had been due to the fact that he had not been able to pay for insurance on a yearly or semi-yearly basis. He has now arranged for paying insurance premiums monthly. Also, his financial difficulties had arisen due to his attempts to expand operations. It appears that the managing applicant now realizes the importance of maintaining adequate insurance coverage and complying with Commission regulations and with the provisions of the Code. Applicants now have a substantial equity in appropriate equipment and have satisfactory arrangements with three shippers of logs to assure a financially successful operation. They are shown to be in a position to enter into satisfactory contract relations with three hay shippers for back hauls.

Section 3572 of the Public Utilities Code authorizes the Commission to attach to the permit such terms and conditions as, in its judgment, are required to assure protection to persons utilizing the operations. The Commission finds that applicants possess the ability and the required financial responsibility.

O R D E R

Application therefor having been filed, public hearing having been held and finding that the statutory requirements have been complied with,

IT IS ORDERED that upon filing by applicants of evidence of liability protection required by the Public Utilities Code, a permit as a highway contract carrier shall be issued by the Secretary of the Commission.

The effective date of this decision shall be ten days after the date hereof.

Dated at San Francisco, California, this 29th day of July, 1958.

E. Lynn Fox
President

Robert L. Ashburn

Paul J. Winterstein

Theodore J. Dennis

Commissioners

Commissioner Matthew J. Dooloy, being necessarily absent, did not participate in the disposition of this proceeding.