

Decision No. 57000

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of DONALD E. SMITH for a Radial Highway Common Carrier Permit (Appl. 19-51465, File T-63,265), a Highway Contract Carrier Permit (Appl. 19-51466, File T-63,265) and a City Carrier Permit (Appl. 19-51467, File T-63,265), the first two on a statewide basis and the latter within the cities of Los Angeles, South Gate, Pomona and Ontario, with headquarters in Arcadia.

Application No. 40102

Smith, Van Dyke & Hildreth, by Jack E. Hildreth,  
for Donald E. Smith, applicant.  
George Cates, for the Commission staff.

O P I N I O N

The application as filed requested a Highway Contract Carrier Permit, a Radial Highway Common Carrier Permit and a City Carrier Permit. The Commission ordered a public hearing in this matter pursuant to Public Utilities Code Sections 3572 and 3943. A duly noticed public hearing was held before Examiner Donald B. Jarvis in Los Angeles on August 7, 1958.

At the hearing applicant asked that the Commission remove from consideration herein his request for a Radial Highway Common Carrier Permit. The request has been granted and the point will not be further considered.

The evidence discloses that applicant has worked in the trucking business for approximately three and one-half years; that his experience has been gleaned from working for his father who owns a successful trucking company; and that applicant's experience consists of driving a pickup and delivery truck, rating and classifying freight, rating freight bills, and acting as a dispatcher.

Applicant has an agreement to purchase four trucks at terms favorable to him. He has arranged for proper insurance if permits are issued. Applicant testified that if the permits be granted he expects to enter into contracts with two shippers who will tender him sufficient tonnage to permit him to earn a reasonable profit each month after expenses. Applicant proposes to lease additional operating equipment if the needs of his business so require.

The Commission has weighed the evidence of record in this matter and finds that applicant has the "financial responsibility" required by Public Utilities Code Section 3572 for the issuance of a Highway Contract Carrier Permit and the "ability and financial responsibility" required by Public Utilities Code Section 3943 for the issuance of a City Carrier Permit.

O R D E R

A public hearing having been held and based upon the evidence therein adduced,

IT IS ORDERED that a Highway Contract Carrier Permit and a City Carrier Permit be issued to applicant Donald E. Smith.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 9th day of FEBRUARY, 1959.

E. Lynn Fox  
President  
W. C. Mitchell  
William J. Dooly

Commissioners