

**ORIGINAL**Decision No. 58443

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's  
own motion into the operations,  
rates, and practices of GALEN Q.  
STONG, dba WHITEY STONG TRUCKING.

Case No. 6220

In the Matter of the Application of  
BLUE FLEET LINES, INC., a corpora-  
tion, Santa Maria, for a City  
Carrier Permit (Appl. No. 42-1963,  
File No. T-64,242 - 291 31) within  
the City of Los Angeles, and for a  
Highway Contract Carrier Permit  
(Appl. No. 42-1962, File No. T-64,242 -  
291 31) within the State of California.)

Application No. 40498

Phil Jacobson for applicant and respondent.  
F. O. Blackman for the California Dump Truck  
Owners' Association, interested party.  
J. Calvin Simpson, and Arthur Lyons for the  
Commission staff.

O P I N I O N

By Application No. 40498 filed August 29, 1958, Blue Fleet Lines, Inc., a corporation, requests the issuance to it of a City Carrier Permit and of a Highway Contract Carrier Permit. This Commission on January 27, 1959, issued an order of investigation into the operations, rates and practices of Galen Q. Stong, the president and principal stockholder of the above applicant corporation who holds City Carrier and Radial Highway Common Carrier permits to determine whether he had assessed rates which resulted in undercharges to two of his customers.

Public hearing was held in Santa Maria on March 19, 1959, before Examiner Rowe on both matters upon a consolidated record. At this hearing evidence was adduced and both matters duly submitted for decision.

The staff attempted to show that respondent had improperly charged his dump truck customers at hourly rates without first having

received from them notice in writing of the shippers' intention to ship under such rates as required by Minimum Rate Tariff No. 7. However, in view of the existence of such orders, as introduced in evidence, it is found that no actual undercharges or rate violations have been shown to have occurred during the period covered by this investigation.

The Commission further is of the opinion and finds that this applicant has the necessary experience and financial resources and ability to carry on an operation as a City Carrier and as a Highway Contract Carrier.

O R D E R

A public hearing having been held and the Commission being fully advised in the premises,

IT IS ORDERED:

1. That upon the filing by applicant of evidence of the required insurance protection permits as requested as a City Carrier and as a Highway Contract Carrier shall be issued by the Secretary of this Commission.

2. That the investigation in Case No. 6220 is discontinued.

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

Dated at San Francisco, California, this 19th day of May, 1959.

I concur  
Matthew J. Dooley  
Matthew J. Dooley, Commissioner  
Date MAY 20 1959

E. Lynn Fox  
President  
Theodore Jensen

Commissioners

-2-commissioner Everett C. McKeago, being necessarily absent, did not participate in the disposition of this proceeding.