

ORIGINAL

Decision No. 58566

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HAL E. PITT for a license as a)
Motor Transportation Broker.)

Application No. 41086

O P I N I O N

Hal E. Pitt requests a license to engage in business as a motor transportation broker at Room 523, Rowell Building, Fresno, California.

Applicant describes his present operations as follows:

Applicant's business consists of arranging for transportation in interstate commerce of non-manufactured agricultural commodities which is exempt from regulation by Section 203(b)(6) of the Interstate Commerce Act. The motor carriers for which such transportation is arranged are engaged exclusively in interstate commerce, and are not required to hold and do not hold any certificates or permits in connection with the transportation of commodities sold, furnished or provided by applicant. Consequently, the carriers for which applicant arranges transportation vary from time to time, and applicant never knows from one day to the next when a new or different carrier will contact applicant and desire to have applicant arrange transportation for it. Under these circumstances, there is not sufficient time for applicant to obtain from such new or additional carriers, a letter of authority, file it with the Commission, file an amendment to applicant's application for authority to arrange transportation for such carrier, and have such amendment approved by the Commission, before applicant arranges transportation for such carrier. Applicant requests that as soon as the name of any such additional carrier is known, and applicant has arranged transportation for such carrier, applicant be permitted to furnish the Commission the name and address of such carrier and a letter of authority from such carrier, so that applicant's license can be amended to include such carrier.

Applicant has on file a co-applicant form of surety bond executed by North River Insurance Company as principal, as provided for in Section 4838 of the Public Utilities Code.

After consideration, the Commission is of the opinion that the application should be granted. A public hearing is not necessary.

O R D E R

An application therefor having been filed, the Commission being fully informed therein and good cause appearing,

IT IS ORDERED:

1. That a license is hereby granted to Hal E. Pitt to act as a motor transportation broker as defined in Section 4803 of the Public Utilities Code, subject to the conditions hereinbelow set forth:

- (a) That the said licensee shall keep his license certificate as a motor transportation broker posted at his authorized place of business in order that it is readily available to public inspection at all times.
- (b) That the said licensee shall do business as a motor transportation broker at the following location only, to wit: Rowell Building, Fresno, California, and for motor carriers for whom he may hereafter from time to time be permitted to do business by any subsequent Commission order, and all other names which may be included in this order by amendment effected by applicant's stating their names and addresses in one or more letters addressed to this Commission, and duly deposited in the United States Mail with appropriate stamps affixed thereto, such mailing to be completed prior to the performance of any transportation arranged by applicant. *alish*
- (c) That the said license shall authorize licensee to sell, offer for sale, negotiate for, furnish or provide transportation over the public highways of this State in interstate commerce for Pirkle Refrigerated Freight Lines, Ringsby Truck Lines, Inc., A & N Food Products, Watson Bros. Transportation Co. and Leonard Jansen Trucking Co.

The Secretary of the Public Utilities Commission shall issue and deliver to Hal E. Pitt a license certificate as a motor transportation broker in the form heretofore adopted by the Commission for such license certificate and subject to the conditions hereinabove set forth, provided that the names of the motor carriers applicant is

authorized to serve need not be set forth therein but in the space provided in said license certificate for such names there shall be stated the following:

"Licensee is authorized only to negotiate for or hold himself out as one who furnishes or provides transportation in interstate or intrastate commerce over the public highways as a motor transportation broker on behalf of the motor carriers now included in the order of the Public Utilities Commission granting this license or subsequently included by amendment."

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

Dated at San Francisco, California, this 8th day of June, 1959.

E. L. Fox
 President

W. H. ...

Frederic ...

Commissioners