MO /ds \*

## ORIGINAL

Decision	No.	72079

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of FRANK GARDNER, JR., an individual, dba FRANK GARDNER TRUCKING, of Los Angeles, for a permit to operate as a Household Goods Carrier, (Appl. No. 19-59724-HG), Los Angeles County, (File No. T-84,995).

Application No. 48914 (Filed July 20, 1966)

Frank Gardner, Jr., in propria persona.

Bekins Van & Storage Company by

Jackson W. Kendall; California Moving &
Storage Association by Jackson W. Kendall

and Charles E. Woelfel; interested
parties.

Walter H. Eastham, for the Commission staff.

## OPINION

The Commission's staff having determined, after two examinations and appraisals as provided in Section 5135 of the Public Utilities Code, that applicant was not qualified as a household goods carrier, the application was set for hearing before Examiner Rogers in Los Angeles on December 8, 1966.

On that date, at the request of the applicant, the matter was continued for hearing in Los Angeles on January 12, 1967, on which date the matter was heard and submitted.

A Commission assistant transportation representative testified that on September 15, 1966 he gave the applicant an examination for a household goods carrier permit as prescribed by the Commission pursuant to Section 5135 of the Public Utilities Code, and that the applicant failed to pass (Exhibit 1). The witness further testified that the passing score prescribed is 80 percent.

A. 48914 MO/ds \*

A second Commission assistant transportation representative testified that on October 20, 1966 he gave the applicant a second examination for a household goods carrier permit as prescribed by the Commission pursuant to Section 5135 of the Public Utilities Code, and the applicant again failed to pass the examination.

The second examination consisted of four parts, namely, Part 1, regulations and definitions; Part 2, transportation under hourly rates; Fart 3, transportation in excess of 50 miles under a mileage weight basis; Part 4, cubing and estimation; and that during said examination the applicant had available to him a copy of Minimum Rate Tariff No. 4-B and Distance Table No. 5.

The witness further testified that on the hourly rate part of the examination the applicant received a score of 22 points out of a possible 30 points or approximately 73 percent. The witness further testified that in his opinion applicant has sufficient knowledge of the hourly basis to be granted a limited household goods carrier permit.

Upon consideration of the application, examination No. 2 (Exhibit 2) and the evidence presented at the hearing, the Commission finds that applicant possesses sufficient knowledge, ability, integrity, financial resources and responsibility to perform the services of a household goods carrier as set forth in the following order.

A. 48914 ds \*\* ORDER IT IS ORDERED that on the effective date of this decision, the Secretary of the Commission is directed to cause a household goods carrier permit to be issued to Frank Gardner, Jr., an individual, doing business as Frank Gardner Trucking, inserting therein conditions and restrictions limiting applicant's operation (a) to Los Angeles and Orange Counties and (b) to service performed only on an hourly or piece rate basis as described in Items 330 and 340 of Minimum Rate Tariff No. 4-B, as of the date of this order. The effective date of this order shall be twenty days after the date hereof. Dated at San Francisco \_, California, this 58H day of FEBRUARY , 1967. President Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding. Commissioner A. W. Gatov. being necessarily absent, did not participate in the disposition of this proceeding. -3-