

ORIGINAL

Decision No. 76586

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
THOMAS A. DALY, an individual doing)
business as DALY DELIVERY, of the)
City of Orange, for a permit as a)
household goods carrier, within a)
50-mile radius (File No. T-92,987).)

Application No. 51404
(Filed July 14, 1969)

Thomas A. Daly, in propria persona.
Jackson W. Kendall, for Bekins Moving
and Storage Company, interested party.
Walter H. Eastham, for the Commission
staff.

O P I N I O N

The Commission's staff having determined, after examination and appraisal as provided in Section 5135 of the Public Utilities Code, that applicant Thomas A. Daly was not qualified to conduct statewide operations as a household goods carrier, at the request of applicant the application was set for hearing before Examiner Rogers in Los Angeles on November 10, 1969, on which date the matter was heard and submitted.

A Commission staff representative testified that 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 the examination (Exhibit No. 2). The witness further testified that the examination consisted of five parts; that Part 1 was on rules

and regulations and the applicant received 13 out of 20 points; the second section was on hourly rates and transportation within 50 miles, and the applicant received 26 out of 30 points; that the remaining portions of the examination covered distance rates and the estimating of charges; and that the applicant failed to answer any questions relative thereto.

It was the conclusion of the staff representative that the applicant is qualified to perform household goods carrier services at hourly and piece rates. The staff recommended that the applicant receive a permit as a household goods carrier restricted to transportation within 50 miles of Orange, such transportation to be performed at hourly or piece rates.

The applicant advised the Commission that he desired such limited authority (Exhibit No. 1).

We find that the applicant has sufficient knowledge and ability to perform service as a household goods carrier under hourly and piece rates, and that he has the integrity, financial resources and responsibility to perform the service of a household goods carrier as set forth in the following order.

O R D E R

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 Thomas A. Daly, doing business as Daly Delivery, inserting therein conditions and

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restrictions limiting applicant's operation (a) to a radius of 50 miles from the City of Orange, California, and (b) to service performed on an hourly or piece rate basis as described in Items 330 and 340 of Minimum Rate Tariff No. 4-B.

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

Dated at San Francisco, California, this 23rd day of DECEMBER 1969.

William J. Sproull
President
Secretary
Commissioner
Commissioner
Commissioner
Commissioners