

Decision No. 76798

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
JOE C. GORDY, an individual dba  
GORDY'S FURNITURE DELIVERY, to transfer,  
and of RODNEY R. ZUMWALT, an individual,  
dba ROY'S FURNITURE DELIVERY, to pur-  
chase a permit as household goods carrier,  
within 50-mile radius of City of Fresno,  
(File No. T-92,669).

Application No. 51506  
(Filed June 4, 1969)

Rodney R. Zumwalt, in propria persona.  
Walter H. Eastham, for the Commission staff.

O P I N I O N

By application filed June 4, 1969, authority was requested to transfer a household goods carrier permit authorizing operation within a 50-mile radius of the City of Fresno, from Joe C. Gordy to Rodney R. Zumwalt. The Commission's staff determined, after examination and appraisal as provided in Section 5135 of the Public Utilities Code, that Mrs. Tilly Zumwalt, representative of applicant purchaser, failed to qualify. The application was set for hearing before Examiner Daly in Fresno on January 15, 1970, on which date the matter was heard and submitted.

A representative of the Commission staff testified that Mrs. Zumwalt took an examination pursuant to Section 5135 of the Public Utilities Code, and she failed to pass the examination (Exhibit No. 1). The examination consisted of five parts, concerning rules and regulations, the application of hourly and distance rates and the estimating of charges. The results of the examination are as follows:

Part	I	20%
Part	II	15%
Part	III	17%
Part	IV	7%
Part	V	5%

Following the examination and a personal review thereof with Mrs. Zumwalt, it was the opinion of the staff analyst that Mrs. Zumwalt verbally demonstrated a broader knowledge of Minimum Rate Tariff No. 4-B than was reflected by her examination paper.

It was the conclusion of the staff witness that applicant purchaser should receive a permit as a household goods carrier restricted to transportation within 50 miles of the City of Fresno, such transportation to be performed at hourly or piece rates. Applicant purchaser indicated that he is willing to accept a permit so restricted.

After consideration the Commission finds that applicant purchaser's representative has sufficient knowledge of household goods carrier service performed pursuant to hourly and piece rates, and that applicant purchaser 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 order, the Secretary of the Commission is directed to transfer the household goods carrier permit herein considered and shall insert therein conditions and restrictions limiting applicant purchaser's operations.

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(a) to a radius of 50 miles from the City of Fresno and (b) to service performed on an hourly or piece rate basis as described in Sections 330 and 340 of the 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 17<sup>th</sup>  
day of FEBRUARY, 1970.

William J. Lyons  
President

Augusta

J. P. Harkin

J. B. Harkin

James L. Harkin  
Commissioners