

Decision No. 79723

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CHARLES J. AGEE and MARY L. AGEE, dba AGEE'S 24-HR MOVING & STORAGE, of LOS ANGELES, for a permit to operate as a Household Goods Carrier, Los Angeles, (File No. T-97821) 19.

Application No. 52777
(Filed April 16, 1971)

Charles J. Agee and Mary L. Agee, in
propriae personae, applicants.
Ronald W. Luckenbach and Joseph Braman,
for the Commission staff.

INTERIM OPINION

The Commission's staff determined, after one examination based on distance, hourly and piece rates and a second examination based on hourly and piece rates only and appraisals as provided in Section 5135 of the Public Utilities Code, that applicants, Charles J. and Mary L. Agee, were not qualified to conduct operations as a household goods carrier. The application was then set for hearing before Examiner DeWolf in Los Angeles on November 30, 1971, on which date the matter was heard and submitted.

A Commission staff representative testified that he gave the applicants' responsible managing employee an examination for the permit as prescribed by Section 5135 of the Public Utilities Code on June 29, 1971 (Exhibit No. 1). A second examination was given to one of the applicants on October 14, 1971 (Exhibit No. 2) and this applicant also failed to achieve a passing score. The witness further testified that the examinations consisted of several parts covering rules, regulations and rates set forth in Minimum Rate Tariff 4-B, and that in these examinations the applicants failed to qualify as a household goods carrier.

Each of the applicants testified in support of the application and requested another further opportunity to take the examination for permit as a household goods carrier. The applicants testified that they are taking a course for the study of hourly rates, distance rates, estimating charges, rules and regulations, and general rules concerning tariffs, and that their studies in this connection will be completed in February, 1972. The applicants expect that one of them will be able to pass an examination at that time and they request another opportunity to take such examination. Applicants also testified that they are getting other special instruction in the five required subjects of the examination.

The Commission staff representative stated that the staff would not be opposed to giving another examination to one of the applicants after the completion of the studies in February.

INTERIM ORDER

IT IS ORDERED that:

1. One of the applicants shall be permitted to take a five-part examination as requested, covering full and complete household goods service operations; such examination to be given upon their completion of the course of studies in February, 1972, but not later than March 31, 1972.
2. In the event the applicant who takes the examination fails to pass the examination referred to above, this application for a household goods carrier permit shall be denied.

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

Dated at San Francisco, California, this 15th day of FEBRUARY, 1972.

William Symons Jr. Chairman
[Signature]
Vernon L. Sturgeon
[Signature] Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.