

Decision No. 79886

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA...

Application of LEWIS VAN DYK doing business as VAN DYK TRANSFER AND STORAGE and as AMERICAN MOVING & STORAGE, to transfer, and of JUDSON BOYD doing business as AMERICAN MOVING & STORAGE, to purchase a permit to operate as a household goods carrier, (File No. T-98, 501).

Application No. 53092  
(Filed January 11, 1972)

Lewis Van Dyk and Judson Boyd, in propriae personae,  
applicants.  
Harold Lane and V. G. Allen, for the Commission staff.

O P I N I O N

By their joint application, filed June 30, 1971, Lewis Van Dyk requested authority to transfer and Judson Boyd requested authority to acquire a permit authorizing operations as a household goods carrier.

Pursuant to Section 5135 of the Public Utilities Code, an examination was administered on August 30, 1971, to James Rippard, who had been designated by applicant transferee as responsible managing employee. Mr. Rippard failed the examination both in total and in the parts dealing exclusively with hourly and piece rates. On December 7, 1971, an examination was administered to Loretta Ruth Boyd, the wife of applicant transferee, who also had been designated a responsible managing employee. Mrs. Boyd also failed the examination both in total and in parts dealing with hourly and piece rates.

At the request of Judson Boyd and pursuant to the provisions of Section 5135 of the Public Utilities Code, a public hearing was held before Examiner Daly on March 1, 1972, at Los Angeles.

A.53092 NB \*

During the course of the hearing Lewis Van Dyk stated that he had decided against transferring the permit and requested that the application be withdrawn. Judson Boyd testified that he and Lewis Van Dyk were presently involved in a contractual conflict with respect to the transfer of the moving and storage business of Mr. Van Dyk and that legal action was contemplated.

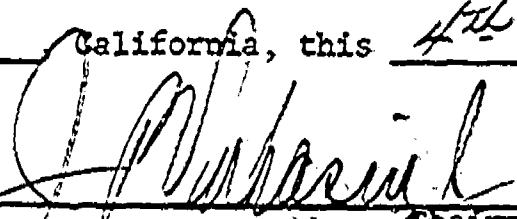
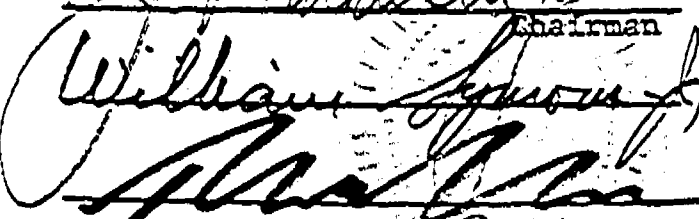
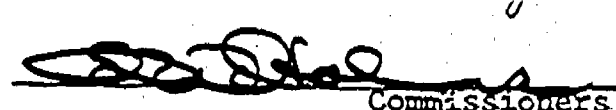
Because of withdrawal of one of the parties to the application, the Commission finds that the joint application to transfer the permit herein considered should be dismissed.

O R D E R

IT IS ORDERED that Application No. 53092 is hereby dismissed. ✓

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

Dated at San Francisco, California, this 4th  
day of APRIL, 1972.

  
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Chairman  
  
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William L. Sturgeon  
  
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Commissioners