

Decision No. 80897

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of LOS ANGELES CITY EXPRESS, INC.,
a California corporation, for a
certificate of public convenience
and necessity, authorizing removal
of a certain restriction under its
present certificate, and extension
of its present authority and issuance
of an in lieu certificate.

Application No. 52064

(Filed July 22, 1970)

Alvin H. Weissman, Attorney at Law,
Karl K. Roos, Attorney at Law,
and Marshall G. Berol, Attorney
at Law, for Los Angeles City
Express, Inc., applicant.

Donald Murchison, Attorney at Law,
for Reliable Delivery Service and
for Joseph N. LeBow, doing business
as Desert Empire Express, interested
parties.

Carl H. Fritze, Attorney at Law, for
City Transfer, Inc., Desert Express,
and Kern Valley Trucking, interested
parties.

Arthur H. Glanz, Attorney at Law, for
Victorville-Barstow Truck Line,
interested party.

OPINION AND ORDER
GRANTING PETITION FOR MODIFICATION

By this application Los Angeles City Express, Inc.,
requested authority to operate as a highway common carrier for
the transportation of general commodities (with certain excep-
tions) along State Highway 14 between the Los Angeles Basin

Territory, on the one hand, and Solemint, on the other hand. It also requested that the Commission, in finding that the proposed service is required by public convenience and necessity, also find that public convenience and necessity require that it perform like transportation as a motor common carrier in interstate and foreign commerce.

On March 23, 1971, Decision No. 78463 was issued after public hearing on the application. The decision found that public convenience and necessity required the proposed highway common carrier service, and it authorized such service. However, no finding was made as to public need for like service in interstate and foreign commerce.

On September 3, 1971, applicant filed a Petition for Modification of Decision No. 78463 requesting that said decision be modified to include the requested finding with respect to interstate and foreign commerce. It alleges that the omission of this finding from the decision was due to inadvertent oversight by the Commission.

Upon review of the entire record in this proceeding, we find that Decision No. 78463 inadvertently failed to make a finding that public convenience and necessity require applicant's service in interstate and foreign commerce only between the extended points therein granted.

IT IS ORDERED that applicant's Petition for Modification of Decision No. 78463 is granted by incorporating the following additional finding in Decision No. 78463:

"Public convenience and necessity require that applicant also be authorized to engage in operations in interstate and foreign commerce within limits which do not exceed the scope of the intrastate operations authorized by the order herein."

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

Dated at San Francisco, California, this 3rd day of JANUARY, 1973.

Vernon L. Stinson
President

[Signature]
[Signature]
Commissioners

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