

ORIGINAL

Decision No. 84320

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Alco Transportation Co., a California corporation; Alco Fast Freight, Inc., (formerly Campora Fast Freight, Inc.), a California corporation; City Freight Line (formerly City Transfer, Inc.), a California corporation; Griley Freight Lines, a California corporation; Kern Valley Trucking, a California corporation; Los Angeles City Express, a California corporation; Reliable Delivery Service, Inc., a California corporation; Smith Transportation Co., a California corporation; and Victorville-Barstow Truck Line, a California corporation,
Complainants,

vs.

Atlas Marine Freight Lines, a California corporation,
Defendants.

Case No. 9746
(Filed May 23, 1974)

Russell & Schureman, by Carl H. Fritze, Attorney at Law, for complainants.
Karl K. Roos, Attorney at Law,
for Atlas Marine Freight Lines,
defendant.

O P I N I O N

Complainants' request that the Commission issue an order requiring defendant to cease and desist alleged unauthorized common carrier service. Hearing in this matter was held February 20, 1975 before Examiner Charles E. Mattson in Los Angeles, California.

No new evidence was presented at the hearing of February 20, 1975. Counsel for complainants relies upon the evidence before the Commission in Application No. 54320. Counsel for defendant agreed to submission upon the pleadings in this complaint case and the evidence and pleadings in Application No. 54320.

Findings

1. Complainants herein appeared as protestants in Application No. 54320.
2. Defendant appeared as the applicant in Application No. 54320.
3. Complainants seek an order requiring defendant to cease and desist alleged unauthorized common carrier service. Complainants rely upon the evidence of record in Application No. 54320.
4. By Decision No. 84148 dated March 4, 1975 in Application No. 54320 we found that applicant's activities have not rendered it unfit to be granted the certificate requested (Decision No. 84148, page 10, paragraph 7). Decision No. 84148 granted highway common carrier authority to defendant.
5. The certificate granted authorized operations over the routes which are in issue in this complaint case.

6. The evidence in Application No. 54320, for the reasons ✓ set forth in Decision No. 84148, does not support the claim that defendant has acted in disregard of the provisions of the Public Utilities Code or of the regulations of this Commission.

O R D E R

IT IS ORDERED that the relief requested is denied.

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

Dated at San Francisco, California, this 15th day of APRIL, 1975.

Vernon L. Stevenson
President
William J. Lyons
Donald W. Ross
Robert J. Brown
Commissioners