

Decision No. 84360**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ANTHONY JOHN KERKHOF,
an individual dba ABC MOVING & STORAGE,
of Downey, California, for a permit to
operate as a household goods carrier.
(File No. T-107824).

Application No. 55366
(Filed December 4, 1974)

Mark Otteson, for applicant.

Joseph Braman, for the Commission staff.

O P I N I O N

Anthony Kerkhof applied for a household goods carrier permit and failed to achieve a passing grade on the examinations required for a statewide authority under Section 5135 of the Public Utilities Code. The section provides that a second examination may be offered if the applicant fails to achieve a passing grade on his first effort. Kerkhof failed examinations on August 6 and November 21, 1974. He then formally applied for a statewide permit as a household goods carrier and the matter was set for hearing on February 27, 1975 at Los Angeles before Examiner Fraser.

Applicant testified that he came to the United States from Holland, and although he understands and speaks English, he has some difficulty if required to answer written questions. He is then slow and easily confused. He has been in the household moving business for ten years and was business manager and estimator for a business owned by another for five years. If the permit is issued he will start a one-truck operation as the driver, with his wife as office manager. Applicant is presently working for the Trans California Moving and Storage Co., which is owned by Mark Otteson who acted as applicant's representative at the hearing. Otteson stated applicant

is industrious and is qualified as a mover. He further stated that applicant will earn at least \$1,000 more each month if authorized to operate his own moving company. Otteson sold the ABC Moving and Storage business to applicant prior to the latter's efforts to obtain a permit.

The staff representative testified that the qualifying examination is designed to be completed in one day, although an applicant can start at 9:00 a.m. and work continuously until 5:00 p.m. Certain parts of the examination require the individual taking it to use various books provided with the examination questions. It is therefore classified as an open-book test. The staff representative suggested that applicant be authorized to take another examination and that the time within which to complete the examination be extended over two days. The applicant agreed with this suggestion, stating he thought he could pass the examination if he is allowed an additional day in which to complete it.

We find and conclude that applicant should have another opportunity to qualify for a household goods carrier permit.

O R D E R

IT IS ORDERED that within thirty days of the effective date of this decision the Secretary of the Commission shall schedule a two-day examination in Los Angeles to establish applicant's knowledge and ability to engage in business as a household goods carrier under Section 5135 of the Public Utilities Code. In the event that the applicant fails to achieve a passing score on the two-day examination, the application shall be denied.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of APRIL, 1975.

Vernon L. Sturgeon
President
William J. Smith
Donald P. ...
Commissioners