

MAY 11 1988

Decision 88 05 012 MAY 11 1988**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the License to)
Operate as a Motor Transportation)
Broker Issued to Oakland Property)
Brokerage, Inc., a Delaware)
Corporation.)

Application 87-11-032
(Filed November 23, 1987)

OPINION

On December 17, 1987, we issued Decision (D.) 87-12-044, which was an Interim Opinion and Interim Order, wherein we rescinded an amended Motor Transportation Broker's license which was issued to Oakland Property Brokerage, Inc. (OPB) on November 4, 1987.

Ordering Paragraph 2 of D.87-12-044 provides that:

2. Public Hearing shall be held at such a time and place and before such Commissioner and/or Administrative Law Judge as shall hereafter be determined for the purpose of affording the Transportation Division staff an opportunity to present evidence concerning an amendment to OPB's Motor Transportation Broker's License.

On March 17, 1988 the Commission's Transportation Division issued an Advice of Participation which states:

"Assembly Bill 678, effective January 1, 1988, added Section 4850 to the Public Utilities Code. This section codifies what the restriction placed on the motor transportation broker's permit was intended to do. We therefore consider the issue moot and recommend that the application be dismissed."

Since we have already taken some action on the application (D.87-12-044) it is not appropriate that we dismiss the matter. We will, however, rescind Ordering Paragraph 2 of D.87-12-044 and provide that in all other respects the decision

will remain in full force and effect and as amended is adopted as our final order in this matter.

ORDER

IT IS ORDERED that:

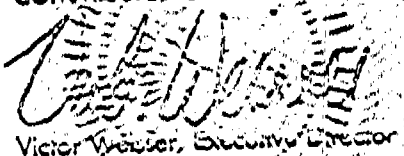
1. Ordering Paragraph 2 of D.87-12-044 is rescinded.
2. D.87-12-044 as amended herein remains in full force and effect and is adopted as our final order in this proceeding.

This order is effective today.

Dated MAY 11 1988, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Victor Weller, Executive Director