

Decision 99-11-005 November 4, 1999

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

Application for Hearing Before the Commission  
Regarding the Revocation of Operating Authority  
of Todd Luedtke, dba CRS Refrigerated Services,  
Inc.

Application 93-10-038  
(Filed October 27, 1993)

**O P I N I O N**

**Summary**

Application of CRS Refrigerated Services, Inc. for hearing regarding the revocation of operating authority as a motor carrier of property dismissed for lack of jurisdiction.

**Discussion**

On October 27, 1993, Todd Luedtke, dba CRS Refrigerated Services, Inc. (CRS), filed an application for a hearing before this Commission regarding the revocation of his operating authority as a motor carrier of property. Since the filing of this application, the Legislature enacted AB 1683 (Stats. 1996, ch. 1042). AB 1683 repealed the Highways Carriers' Act (Pub. Util. Code § 3501 et seq.), thereby removing the statutory jurisdiction of this Commission over the transportation of property over the public highways in California, with the exception of household goods movers.

Jurisdiction over motor carriers of property, other than household goods movers, now rests with the California Department of Motor Vehicles and the California Highway Patrol. (See Motor Carriers of Property Permit Act, Vehicle Code Section 34600 et. seq.)

In light of the fact that this Commission lacks jurisdiction over motor carriers of property, the application should be dismissed for lack of jurisdiction.

### **Comments of Draft Decision**

The draft decision of the ALJ in this matter was mailed to the parties in accordance with Pub. Util. Code § 311(g) and Rule 77.1 of the Rules of Practice and Procedure on September 30, 1999. No comments were received.

### **Findings of Fact**

1. CRS once held authority from this Commission to operate as a motor carrier of property.
2. CRS applied for a hearing before this Commission regarding the revocation of its operating authority.
3. This Commission regulated motor carriers of property until the passage of AB 1683, which became effective September 29, 1996.
4. AB 1683 revoked this Commission's jurisdiction over highway motor carriers of property, other than household goods movers.

### **Conclusions of Law**

1. Application 93-10-038 should be dismissed for lack of jurisdiction.
2. This proceeding should be closed.

**O R D E R**

**IT IS ORDERED** that:

1. Application 93-10-038 is dismissed.
2. This proceeding is closed.

This order is effective today.

Dated November 4, 1999, at San Francisco, California.

RICHARD A. BILAS  
President  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
JOEL Z. HYATT  
CARL W. WOOD  
Commissioners