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Decision No. 11639

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
ROY MOREY to sell and transfer and
H. C. VENABLE to purchase, auto truck
milk route operated between Los Angeles,
Downey, Norwalk, Artesia and dairy
ranches adjacent to such cities.

ORIGINAL

Application No. 8639

BY THE COMMISSION,

ORDER

Roy Morey has filed a joint application with
H. C. Venable in which they petition for an order authorizing
the transfer of a certain automobile truck line.

The operative right herein proposed to be transfer-
red was obtained by Roy Morey under the provisions of Section
5 of Chapter 213, Statutes of 1917, due to operation prior to
May 1st, 1917 and continuously since that time and authorizes
the operation of an automobile truck line for the transportation
of milk, dairy products, feed and dairy supplies over a route
described in the present application as follows:

Between Los Angeles and dairy ranches located in the
vicinity of Downey, Norwalk, Artesia, as far south as
Crescent Creamery Ranch, a point 1 mile east and 1
mile south of Artesia, and dairies located between
Main Street on the west and Coyote Creek on the east
in said territory.

The description contained in the present application is not in
accordance^{with} the points mentioned by applicant Morey in his
tariff as originally filed. His tariff is controlling in
that it is a route claimed by applicant under the provisions of

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Section 5 of Chapter 213, Statutes of 1917, and cannot be altered without written authorization of the Railroad Commission.

The points mentioned in such tariff include the following:

Artesia, Norwalk, Laguna School, Huntington Park and Los Angeles.

Inasmuch as it would appear that the route as described in the tariff filed by applicant and the points to which rates are quoted is not in accordance with the claimed operation of applicant at the present time as described in the present application, we are of the opinion that this proceeding should be dismissed until such time as applicant has a clear title to the operative right which he proposes to transfer.

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is dismissed.

Dated at San Francisco, California, this 9th day of February, 1923.

C. Cleary
H. B. ...
... Martin

Commissioners