

Decision No. 15524

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA TRANSIT COMPANY, a cor-)
poration, for an order authorizing) Application No. 10950
the rerouting of a portion of the)
service now furnished between Liver-)
more and San Jose.)

Earl A. Bagby, for Applicant;
Harry A. Encell and James A. Miller,
By Harry A. Encell, for Peerless Stages, Inc.,
Protestant.

BY THE COMMISSION:

ORDER OF DISMISSAL.

In this proceeding California Transit Company, a corporation, seeks authority from the Railroad Commission, authorizing it to reroute a portion of its service between Stockton and San Jose via Livermore, so that one or more of its daily schedules between these terminals may be operated by way of Sunol, Niles and Mission San Jose. The application was filed March 25, 1925. On April 1, 1925, the California Transit Company appeared as a protestant at the hearing held at Centerville in Application No. 10580, wherein the Peerless Stages, Incorporated, sought a certificate of public convenience and necessity authorizing the establishment of an automobile stage line between Newark and Pleasanton via Niles. At that hearing applicant herein requested that the decision in Application No. 10580 be deferred, pending the hearing of the instant application. This was done, the above entitled

application being heard before Examiner Austin at Pleasanton on September 11, 1925. At that time the applicant, California Transit Company, and the Peerless Stages, Incorporated, which appeared as a protestant herein, entered into a stipulation upon the record that Application No. 10580 would be amended so that no certificate would be granted therein for the operation of a stage line east of Sunol and that California Transit Company would dismiss the above entitled application.

No evidence being offered by either applicant or protestant at the hearing, the matter was submitted, and it is now ready for decision. In our opinion the motion of applicant to dismiss the application should be granted.

Good Cause Appearing Therefor:

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

Dated at San Francisco, California, this 9th day of October, 1925.

W. B. ...

C. ...

George D. Squires

Leon ...
(Commissioners)