

Decision No. 16165.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of (1) Everett L. Kirk and Harry W. Hamilton, Co-Partners doing business under the firm name and style of Kirk and Hamilton, for certificate of public convenience and necessity to operate (2) Auto trucking service to Area I. Between any and all points within a twenty mile radius from the intersection of Pine and E Streets in the City of Exeter, County of Tulare, State of California, exclusive of any and all points on mountain roads within said radius. Area II. Between any and all points within that portion of the Tulare Lake Region as shown in Exhibit "B"; with the privilege of picking up loads at any and all points with the San Joaquin Valley as far North as and including Pinedale and as far South as, and including Bakersfield, for delivery to any point within Area I or Area II, and the privilege of delivering to any and all points within that portion of the San Joaquin Valley as far North as, and including Pinedale, and as far South as, and including Bakersfield, any loads originating in Areas I and II.

ORIGINAL

Application No. 12,345.

BY THE COMMISSION:

ORDER OF DISMISSAL

WHEREAS, the applicants in the above entitled proceeding have not taken advantage of opportunity offered by the Railroad Commission and amended said application by substituting for the operation herein proposed, a service between fixed termini or over a regular route or routes, thus bringing said application within the meaning of the Auto Stage and Truck Transportation Act, and

WHEREAS said applicants have been duly advised by

the Railroad Commission under date of February 4th, 1926,
that unless said amendment was filed within a period of
thirty (30) days thereafter said application would be dis-
missed without prejudice for the reason that the Commission's
jurisdiction does not cover the character of service herein
proposed in that the service is not proposed to be conducted
"between fixed termini or over a regular route",

Now, therefore, good cause appearing,

IT IS HEREBY ORDERED this application be, and the
same hereby is dismissed without prejudice.

Dated at San Francisco, California, this 16th day
of March, 1926.

H. B. Randall

Grounds

Leon White

Commissioners.