

Decision No. 16167

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
CITY TRUCK & TRANSFER COMPANY
for certificate of Public Convenience
and Necessity to Operate Baggage and
Freight Truck Service between San Jose
and all points within the State of California.)

) Application
) No. 11539.

BY THE COMMISSION:

ORDER OF DISMISSAL.

WHEREAS, the applicant in the above entitled proceeding has not taken advantage of the 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 applicant has been duly advised by the Railroad Commission under date of February 3, 1926, that unless said amendment was filed within a period of thirty (30) days thereafter said application would be dismissed 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 that this application be, and the same hereby is dismissed without prejudice.

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

H. D. ...
E. ...
Leon ...

COMMISSIONERS.