

ORIGINAL

Decision No. 16174

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 HARRY E. BRUNET and FRANCIS A. SWALL)
 for certificate of public convenience)
 and necessity to operate auto dump) Application No. 11891
 truck service between any points in)
 State of California south of a line)
 drawn from San Luis Obispo through)
 Fresno to Bishop.)

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 2, 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 this application be, and the same hereby is dismissed without prejudice.

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

H. B. ...
C. ...
E. ...
Don ...

COMMISSIONERS.