

Decision No. 16267

In the Matter of the Application of)  
 Mortimer Callaway for certificate )  
 of public convenience and necessity )  
 to operate auto truck service as a ) Application No. 12376  
 contract carrier between San Dimas )  
 and packing houses within radius of )  
 60 miles of San Dimas. )

BY THE COMMISSION:

**ORIGINAL**

## ORDER OF DISMISSAL

WHEREAS, the applicant in the above entitled proceeding has 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 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 this application be, and the same hereby is dismissed without prejudice.

Dated at San Francisco, this 16<sup>th</sup> day of March 1926.

Herbert B. ...  
Edward ...  
Leon ...

Commissioners