

Decision No. 16874.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application of JOHN E. WAGNER, for certificate of public convenience and necessity to operate automobile truck service for oil well supplies, etc., to, from and between all points in the State of California.

Application No. 12,138.

BY THE COMMISSION:

ORDER OF DISMISSAL

WHEREAS, Richard T. Eddy, attorney for John E. Wagner, applicant in the above entitled proceeding, has advised the Railroad Commission of the State of California in writing, under date of March 19, 1926, that his client will not object to an order of dismissal without prejudice being entered in this matter in accordance with the Commission's circular letter of February 5th, 1926, advising that an order of dismissal without prejudice would be entered unless within thirty (30) days from said date the application herein was amended 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.

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 20<sup>th</sup> day of March, 1926.

H. B. ...

C. J. ...

Leon ...

Commissioners.