

Decision No. 16589

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PHILBROOK W. HOLMES for a certificate) Application No. 11274
 of public convenience and necessity)
 to operate a freight truck service.)

ORIGINAL

Thelen & Marrin, for applicant,
 Wm. S. Scott for E.O. Henderson,
 J.M. Inman for Ford & Harry,
 Devlin & Devlin by A.I. Dupenbrock, for L.W. McCall,
 B.F. Vandike for Senf Draying Co.,
 Lester J. Hinsdale for Geo. Buckley and J.N. and R. Colby,
 Parkinson & Parkinson for Mott Peters,
 J.W. Mento for Leo Laverde,
 C.F. Detrick for Western Pacific Railroad Company,
 Sacramento Northern Railway Co.,
 San Francisco-Sacramento Railroad Company and
 Nevada County Traction Company, Protestants,
 Edward Stern for American Railway Express Co., Protestant,
 E.W. Hobbs for Southern Pacific Company, Protestant,
 John W. Johnston for F.W. Wales and T.W. Wales & Son, Pro-
 testants.
 W.L. Latta for River Auto Stages, Protestant.

WHITSELL, Commissioner -

ORDER OF DISMISSAL

Philbrook W. Holmes has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an auto trucking service within a radius of 30 miles of Sacramento.

A public hearing was conducted by Commissioner Whitsell at Sacramento and the matter submitted. Under date of March 11, 1926, the Railroad Commission advised the applicant, in writing, that the service proposed was not an operation within the meaning of the Auto Stage and Truck Transportation Act in that it was not an operation between fixed points or over a regular route or routes, and that unless within 30 days said application was amended so as to propose a service within the purview of the Act, it would be dismissed without prejudice. The 30 days have elapsed, and no amendment has been filed.

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 26th day of April,
1926.

H. B. Brundage

C. L. Seaver

Leon Whitell

COMMISSIONERS.