

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
E. C. MERRILL for certificate of public )  
convenience and necessity to operate a )  
pick-up and contract freight trucking ) Application  
service within a radius of one hundred ) No. 11650  
miles of the Town of Campbell, in Santa )  
Clara County. )

Frank H. Genson, for applicant,  
Gwyn H. Baker for Oakland-San Jose Transportation  
Company and Pioneer Gibson Express,  
Harry A. Houser for Martin Bros.,  
C.A. Thompson for Kiso Yasanaga,  
J.E. McCurdy for J.D. and J.W. Maynard,  
Martin S. Walsh for S.R. Maynard,  
L. N. Bradshaw for Southern Pacific Company,  
E.C. Shoup and L.N. Bradshaw for Peninsular Railway Co.,  
Edw. Stern and A.S. Weston for American Railway Express Co.,  
Spencer C. Prime for S. & G. Transport Co., A.C. Witt,  
and San Francisco and San Jose Fruit and Produce  
Transportation Co.,  
Harry A. Mitchell for San Francisco-Sacramento Railroad Co.,  
James Snell for H.J. Leonard,  
Reed J. Bekins for Bekins Fireproof Storage, California  
Highway Express and Consolidated Furniture Moving  
Corporation.

BY THE COMMISSION -

ORDER OF DISMISSAL

E.C. Merrill 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 one hundred miles of the town of Campbell in Santa Clara County.

A public hearing was conducted by Examiner Satterwhite at San Jose and the matter submitted. Under date of March 5, 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 3d day of

May, 1926.

H. B. Dundee

Chace

Эмиль Владх

COMMISSIONERS.