Decision No. 16696

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of R. G. FENN for certificate of public convenience and necessity to operate motor truck transportation service within the limits of the County of San Diego, State of California.	APPLICATION NO. 12042.

Harold W. Dill, for Applicant.

A. S. Weston and M. Thompson, for American Railway Express, Protestant.

E. R. Harnish, for Boulevard Express, Protestant.

F. B. Dorsey, for San Diego & Arizona Railway Company, Protestant.

Richard T. Eddy, Intervening for Lewis & Lindner in Application No. 10967, Protestants as to any service between San Diego and El Centro.

BY THE COMMISSION:

ORDER OF DISMISSAL

R. G. Fenn has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of a motor truck transportation service within the limits of San Diego County, California.

A public hearing herein was conducted by Examiner Williams at San Diego on April 30, 1926, and applicant having been previously advised that the service proposed in the application

was not an operation within the meaning of the Auto Stage and Truck Transportation Act in that it was not an operation between fixed termini or over a regular route or routes, and continuances having been granted on January 26 and March 25 for the purpose of permitting applicant to amend his application herein, and applicant now at the time of final hearing refusing to make further amendment to his application so as to bring it within the jurisdiction of this Commission;

Now, therefore, good cause appearing,

IT IS HEREBY ORDERED that the application herein be and the same hereby is dismissed for want of jurisdiction.

Dated at San Francisco, California, this 10th day of May 1926.

H. H. Brundige

C. L. Seavey

Leon O. Whitsell

COMMISSIONERS.