

ORIGINAL

Decision No. 16699

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application )  
of STEPHEN BROWN and C. B. ALLEN, )  
a co-partnership, doing business )  
under the firm name and style of )  
BROWN & ALLEN TRANSFER, for certif- )  
icate 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. 12059.

Harold W. Dill, for Applicants.

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

H. R. Harnish, for Boulevard Express, Pro-  
testant.

F. B. Dorsey, for San Diego & Arizona Rail-  
way 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

Stephen Brown and C. B. Allen, a co-partnership, doing  
business under the firm name and style of Brown & Allen Transfer,  
have petitioned the Railroad Commission for an order declaring  
that public convenience and necessity require the operation by  
them 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 applicants 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 applicants to amend their application herein; and applicants now at the time of final hearing refusing to make further amendment to their 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. B. Burdick

C. Seaver

Leon Whitely

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COMMISSIONERS.