

**ORIGINAL**

Decision No. 16705

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application )  
of LEE MARTIN, doing business under )  
the firm name and style of CHULA )  
VISTA TRANSFER, for certificate of )  
public convenience and necessity to )  
operate motor truck transportation )  
service within a radius of 15 miles )  
from the city of Chula Vista, in )  
the County of San Diego, State of )  
California. )

APPLICATION NO. 12250.

Harold W. Dill, for Applicant.

J. 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

Lee Martin, doing business under the firm name and style  
of Chula Vista Transfer, has petitioned the Railroad Commission  
for an order declaring that public convenience and necessity re-  
quire the operation by him of a motor truck transportation  
service within a radius of 15 miles from the city of Chula Vista,  
in the County of San Diego.

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.

W. B. Brundage

C. J. Tracy

Leon Whittell

COMMISSIONERS.