

ORIGINAL

Decision No. 16709

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of McCLINTOCK STORAGE WAREHOUSE)
COMPANY, a corporation, for certif-)
icate of public convenience and)
necessity to operate motor truck)
transportation service within a)
radius of fifty miles from the city)
of San Diego, State of California.)

APPLICATION NO. 12293.

Harold W. Dill, for Applicant.

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 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

McClintock Storage Warehouse Company, a corporation,
has petitioned the Railroad Commission for an order declaring
that public convenience and necessity require the operation by
it of a motor truck transportation service within a radius of
fifty miles from the city of San Diego, 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 its application herein; and applicant now at the time of final hearing refusing to make further amendment to its 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. Brundage

C. S. ...

Leon ...

COMMISSIONERS.