

Decision No. 16808

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 E.W.Flory for a certificate of public)
 convenience and necessity for the)
 general transportation by motor vehicle) Application No.11794
 of all commodities between all points)
 in the San Joaquin Valley.)

Theodore M. Stuart, for Applicant,
 C.W. Braswell for J.B. Lowery,
 L.M.Bradshaw for Southern Pacific Company and American
 Railway Express Company, Protestants,
 E.G.Shoup for Visalia Electric Railway Co., Protestant,
 E.L.Askin for Sequoia National Park Stage Co., Protestant,
 N.E. Asp for Atchison, Topeka & Santa Fe Railway Co., Pro-
 testant,
 T.F.Lyons, A.R. Plummer and T.L.Smart for California
 Packing Corporation,
 C.A.Beck for California Highway Express, Bekins Van Lines.

BY THE COMMISSION -

ORDER OF DISMISSAL

E.W. Flory has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an auto trucking service between all points in the San Joaquin Valley.

A public hearing was conducted by Commissioner Whitsell at Visalia and the matter temporarily removed from the calendar following a decision (No.15818) by the Railroad Commission in the matter of the application of Ben Moore for a certificate of public convenience and necessity, in which decision the Commission held that it had no certificating jurisdiction over any auto transportation service other than a service between fixed points or over a regular route.

Theodore L. Stuart, Attorney for the applicant herein, after having been granted an extension of time to enable him to determine whether he would amend the application herein so as to propose a service between fixed points or over a regular route, requested the Railroad Commission under date of April 28, 1926, to dismiss said application without prejudice.

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 5th day of June
1926.

H. B. Brundage

O. P. Seavey

Leon Whitell

COMMISSIONERS