

Decision No. 16821

ORIGINAL

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 ED ASHLEY for certificate of public )  
 convenience and necessity for the ) Application No. 11945  
 general transportation by motor )  
 vehicle 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 State Co., Protestant,  
 N.H. 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

Ed Ashley 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 5<sup>th</sup> day of June, 1926.

W. B. Brundage

O. S. S. S.

Leon Whitell

COMMISSIONERS.