

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of E. OVERGAARD and E. AGESEN, a co-partnership composed of E. Overgaard and E. Agesen, for a certificate of public convenience and necessity to operate motor freight trucks over the public highways, on call, between various points in San Joaquin County, and adjoining counties, State of California, within a radius of 50 miles from Stockton.

ORIGINAL
Application No. 11393

Lafayette J. Smallpage.
Scott Rex for E.E.O'Brien,
Herbert C. Coblentz for Dennis P. Loran, E.J. Armbrust,
Joe Orsolini, J. E. Cole, C.F. Henry, Frank Farnham,
and E. Overgaard and E. Agesen,
Ralph C. Edminster, in propria persona,
Wm. E. Shinn, in propria persona,
G. W. Stout, in propria persona,
W. E. Russell, in propria persona,
R. D. Beardslee and Thos. S. Louttit for Dawson's Fireproof Storage,
Case & Forslund, by E.E. Forslund for Stockton Transfer Company,
Levinsky & Jones, by Arthur L. Levinsky, for San Francisco-Sacramento Railroad Company; Petaluma & Santa Rosa Railroad Company; Sacramento Northern Railroad Company and Central California Traction Company, Protestants,
A.A. Johnson and F.W. Mielke for Southern Pacific Company, Protestant,
A.S. Weston for American Railway Express Company, Protestant,
R.J. Williams and M.E. Utt, for San Joaquin County Farm Bureau Federation, Protestant,
W.J. Quinn for the White Line, Protestant,
A.S. Butchart for Sierra Railway Company of California,
John W. Johnston and E.F. Wales and R.F. Wales & Son.

BY THE COMMISSION -

ORDER OF DISMISSAL

E. Overgaard and E. Agesen, a copartnership, have petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by them of an auto trucking service within a radius of 50 miles of Stockton.

A public hearing was conducted by Examiner Austin at Stockton and the matter submitted. Under date of March 22, 1926, the Railroad Commission advised the applicant, in writing, that the service proposed was not an operation within the meaning of the Auto Stage and Truck Transportation Act in that it was not an operation between fixed points or over a regular route or routes, and that unless within 30 days said application was amended so as

to propose a service within the purview of the Act, it would be dismissed without prejudice. W. A. Hicks, representing the applicants, after securing an extension of time within which to determine the course he would pursue in the matter, has advised the Commission, in writing, under date of May 12, 1926, that the application may be dismissed 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. H. Brundage

C. Beatty

Leon Whitell

COMMISSIONERS.