

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
E. L. ASKIN, F. N. OGILVIE and  
W. J. OGILVIE for certificate of  
public convenience and necessity to  
operate a freight and general trucking  
service between Bakersfield and Merced  
and intermediate points as shown on  
Exhibit "B", and in the areas shown  
thereon. ) Application  
No. 11273

ORIGINAL

J. T. Crothers, in propria persona,  
Gwyn H. Baker for J. Black, E.L. Askin, F.N. Ogilvie,  
and W.J. Ogilvie, D.E. Rowland and George A. Bigard,  
H.R. Crozier, for Zinn and Whitty, Ben Moore and W.D. Rhind,  
John C. Weldon in propria persona,  
C.A. Beck, for Dinuba Truck Line, H. Frasher Truck Line,  
Coalinga-Fresno Truck Line, J.O. Bray, A.L. Morgan & Sons,  
Visalia Truck, G.C. Scribner & Son, Sanger Truck,  
Triangle Transfer and Kings River Transportation Company,  
Protestants.

Phil Jacobson, for California Highway Express and Bekins  
Van Lines, Inc., Protestants,  
H. A. Rose and Phil Jacobson for San Joaquin Valley  
Transportation Company, Protestant,  
L.N. Bradshaw and A.G. Schmitt for Southern Pacific Company,  
Protestant,  
Edward Stern for American Railway Express Company,  
F.M. Hodge for Hodge Transportation System,  
Alva E. Snow, for W.R. Miles Stage Line,  
M.W. Bacon, for Bacon Service Corporation.

BY THE COMMISSION -

ORDER OF DISMISSAL

E. L. Askin, F.N. Ogilvie and W.J. Ogilvie have petitioned the  
Railroad Commission for an order declaring that public convenience  
and necessity require the operation by them of an auto trucking  
service in the vicinity of Bakersfield and Merced.

Public hearings on this application were conducted by Examiner  
Austin at Bakersfield and the matter submitted. Under date of  
September 10, 1926, the Railroad Commission was advised by G. H.  
Baker, Attorney for applicants, in writing, that inasmuch as the  
service proposed was not an operation within the meaning of the  
Auto Stage and Truck Transportation Act (in the light of the Ben  
Moore decision) in that it was not an operation between fixed  
points or over a regular route or routes, he desired that the

application 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 21<sup>st</sup> day of September, 1926.

H. A. Brundage  
C. J. Sever  
Franklin D. Smith  
Leon A. Whittell  
Thos. S. Kautz  
COMMISSIONERS.