

Decision No. 17085

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

BAKERSFIELD AND LOS ANGELES FAST FREIGHT
COMPANY, a corporation, and LOS ANGELES
AND WEST SIDE TRANSPORTATION COMPANY, a
corporation,

Complainants,

vs.

Case No. 2006.

MIKE LANG, MIKE LANG TRANSPORTATION CO.,
WM. P. SHIELDS, KATE B. SHIELDS, SHIELDS
TRUCK CO., JOHN DOE, JANE DOE, JOHN ROE
and JANE ROE,

Defendants.

Hugh Gordon, for Bakersfield and Los Angeles
Fast Freight, et al., for Complainants.
Walter Casey, for Shields Truck Co.,
Defendant.
A. B. Roehl, for Mike Lang Transportation Co.,
et al., Defendants.

LOUTTIT, Commissioner:

O P I N I O N

At the rehearing in this matter counsel for defendants objected to the introduction of any evidence on the ground that the petition for rehearing had been granted after the Commission's Order and Decision No. 17088 had become effective, and therefore the Commission had lost jurisdiction to grant such petition. Counsel for complainants admitted this objection to be well taken. It is my opinion that such objection should be sustained, and I recommend that the Commission's prior Order and Decision No. 17088 be affirmed.

O R D E R

Rehearing having been had in the above-entitled matter, and it appearing to this Commission that such petition for rehearing was granted after Order and Decision No. 17088 had become effective, and that this Commission was without jurisdiction to grant such petition for rehearing,--

NOW, THEREFORE, IT IS HEREBY ORDERED that Order and Decision No. 17088 be, and the same is hereby affirmed.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 2nd day of March, 1927.

Ernest A. DeLoach
H. B. Brundage
C. Seaver
Leon Whitell
Thos. J. Latta
Commissioners.