

Decision No. 18880**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 ROBERT V. HARDIE for certificate of public
 convenience and necessity to operate an
 automobile truck service between Los Angeles
 and Bishop and intermediate points.) Application
) No. 13770

Richard T. Eddy, for Applicant.
 Edw. Stern, for American Railway Express Company,
 Protestant,
 Earl A. Bagby, for Owens Valley Transportation Company
 and California Transit Company, Protestants.
 A. W. Bedwell, for A.M. Bedwell Freight Service,
 Independence, Protestant.
 W. S. Johnson, for Southern Pacific Company, Protestant.

BY THE COMMISSION -

OPINION and ORDER

Robert V. Hardie has petitioned the Railroad Commission for an order declaring that public convenience and necessity require the operation by him of an automobile truck service for the transportation of all commodities between Los Angeles and Bishop and intermediate points, except between Los Angeles and Mojave.

Public hearings on this application were conducted by Examiner Handford at Bishop and Lone Pine. At the first hearing, held in Bishop, applicant requested a continuance for the reason that his counsel had been required to make an eastern trip; at the adjourned hearing in Lone Pine counsel for applicant requested that the application be dismissed without prejudice due to the late season and the fact that a recent investigation had developed business conditions in the Owens Valley were of such a nature at the present time that there was no apparent necessity for the establishment of the proposed service nor prospect of its being operated without substantial loss to the holder of a certificate.

In view of the fact that the Commission and protestants have been required to incur a considerable expense in connection with the hearings on this application, we are not of the opinion that the matter should be dismissed without prejudice. Applicant, by his counsel, admits that under present business conditions in the Owens Valley there is no public convenience and necessity which would be served by the granting of the application, and the order herein is predicated on such admission.

Public hearings having been held on the above entitled application, the matter having been duly submitted and the Commission being now fully advised,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity do not require the operation by Robert V. Hardie of an automobile truck service in the transportation of commodities between Los Angeles and Bishop and intermediate points, excepting between Los Angeles and Mojave, and

IT IS HEREBY ORDERED that this application be and the same hereby is denied.

Dated at San Francisco, California, this 4th day of ~~October~~ September, 1927.

Ernest J. ...
Charles ...
Leon ...
Thomas ...
M. J. ...
COMMISSIONERS.