

Decision No. 10720

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of DONOVAN TRANSPORTATION COMPANY, a corporation, and SECURITY VAN AND STORAGE COMPANY, INCORPORATED, by Lewis A. Monroe, Joint Agent, for an order granting permission to establish through joint freight rates and for a further order cancelling rates in connection with Donovan Transportation Company heretofore authorized in Application No. 10706.

Application No. 14805.

ORIGINAL

R. B. Cleaveland, for Rice Transportation Company, protestant.

BY THE COMMISSION:

ORDER OF DISMISSAL

This is an application filed June 18, 1928, by Lewis A. Monroe, acting as Joint Agent for the Donovan Transportation Company, a corporation, and the Security Van and Storage Company, a corporation, for an order granting permission to establish a through route and to publish joint freight rates between these two automobile truck transportation companies. There is also a separate request for an order permitting the cancellation of certain local interdivision freight rates covering the operations of the Rice Transportation Company and the Donovan Transportation Company between Los Angeles-Venice on the one hand and points south of Venice, including Long Beach, on the other, as published in Rice Transportation Company Local and Interdivision Freight Tariff C.R.C. No. 4, effective September 21, 1925.

By authority of decision in Application No. 10726 the

Rice Transportation Company was permitted to lease and operate in connection with its freight route between Los Angeles and Venice, the freight route held by the Donovan Transportation Company between Venice and Long Beach, which lease arrangement expired December 31, 1927, and has not been renewed.

It would appear from the records of the Commission (I.C. 38947 and 38979) that any through operations by the Rice Transportation Company between Los Angeles and Long Beach since December 31, 1927, over that part of the route certified to the Donovan Transportation Company, are without lawful authority. The record further indicates that the Donovan Transportation Company has not operated any local service over its certified route since December 31, 1927.

The proceeding was called for hearing at Los Angeles before Examiner Geary Wednesday August 8, 1928, but no one appeared on behalf of the applicants. Mr. R. E. Cleaveland, representing the Rice Transportation Company, was present to protest the granting of this application.

In view of the fact that applicants failed to appear in support of the application, we are of the opinion and find that it should be dismissed, without prejudice, and

IT IS HEREBY ORDERED that this application be and the same is hereby dismissed without prejudice.

Dated at San Francisco, California, this 15th day of August, 1928.

Leon Whitley
C. J. Denny
Thos. J. Louder

Commissioners.