

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application )  
of THE LEE FILM DELIVERY SERVICE )  
for certificate of public conven- )  
ience and necessity to operate a )  
film delivery service between Los )  
Angeles and Redlands. )

Application No. 8031.

A.P. Michael Narlian and R.E. Shaw, for Applicants  
H.W. Kidd and Rex Hardy, for G.& W. Stage Company,  
Motor Transit Company, Keystone Express, and  
T.R. Rex, Protestants.  
M. Thompson, for American Railway Express, Protestant.

BY THE COMMISSION:

ORDER OF DISMISSAL

Applicant sought a certificate of public convenience and necessity to operate a film delivery service between Los Angeles and Redlands and certain designated intermediate points.

Public hearings were held by Examiner Williams, at Los Angeles.

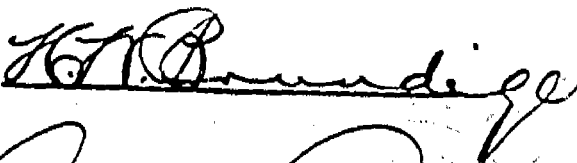

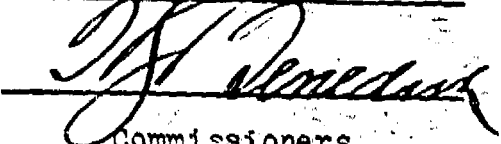
At the first hearing, applicant was unprepared to sustain proof of the necessity and convenience of the service proposed and at applicant's request, and over the objection of protestants, the hearing was continued three weeks to give applicant ample time to procure testimony. At the second hearing applicant appeared again without any witnesses to support the application. Objection by protestants as to further continuance was sustained by the Examiner and the matter submitted for dismissal, subject to the approval of this Commission, upon review.

It appearing that applicant twice had full opportunity to present testimony but having each time failed to do so, with the exception of the statement that it was ready, willing and able to give service, the Commission finds that applicant has not, with due diligence, presented its application; and it further appearing that the protestants herein have twice appeared prepared to meet the affirmative testimony of applicant and have objected to further continuance, such objection is hereby sustained and the application herein dismissed.

O R D E R

IT IS HEREBY ORDERED, good cause having been shown, that the application herein be and the same hereby is denied.

Dated at San Francisco, California, this 19th day of September, 1922.

  
  
  
Commissioners.