

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
HURSCHEL P. GORDON, doing business)
under the fictitious name and style)
of Madera-Friant Stage Company, for) Application No. 6435.
a certificate of public convenience)
and necessity to operate auto stage)
service between Madera and Friant.)

BY THE COMMISSION.

ORDER OF DISMISSAL

By the above described application, Hurschel P. Gordon seeks authority to operate automobile passenger and express service between Madera and Friant, upon the stated ground that the service will be needed to transport labor to Friant for the purpose of constructing a large irrigation dam for the Madera Irrigation District; the same service which Messrs. Fudge and Davis, in Application No. 5970, asked authority to perform.

At the hearing on the latter application, the evidence showed that public convenience and necessity did not require the proposed service at the time of the hearing, as is shown by Decision No. 8473 of December 20, 1920. It now appears to the Commission from correspondence with Madera Irrigation District that no provision has been made for financing its proposed dam at Friant, no contract for building the dam has been let, and that it is likely that work will not begin for six months or a year, or more.

It is apparent that no useful purpose can be served by setting the matter for hearing, as the need of the proposed service is but a moot question at present; nor by placing it in suspense or setting it for hearing a year from now; nor would the latter course be fair to Messrs. Fudge and Davis whose application was filed long prior to that of the above applicant. Furthermore such a course might tend to invite speculation in operative rights of the kind sought, which the Commission considers to be against public interest.

IT IS HEREBY ORDERED that the above application be and it is hereby dismissed without prejudice to the right of applicant to file a new application within 90 days of the time the work is expected to begin.

Dated at San Francisco, California, this 28th day of March, 1921.

Frank P. DeWitt

H. J. Loveland

Waring Martin

Charles H. Russell

Commissioners.