

Decision No. 9123

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
 FRED D. PEARCE for certificate of )  
 public convenience and necessity : Application No. 5093  
 to operate a motor truck service )  
 between Los Angeles and Banning, )  
 California. )

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In the Matter of the Application of )  
 FRED D. PEARCE to sell and H. L. )  
 BOUTELL and H. S. FUQUA to pur- :  
 chase an automobile freight trans- : Application No. 6301  
 portation line operated between )  
 Los Angeles and Beaumont and Ban- )  
 ning. )

BY THE COMMISSION.

ORDER

In Application No. 5093, Fred D. Pearce applied to the Railroad Commission for a certificate of public convenience and necessity authorizing the operation by him of an automobile truck line as a common carrier of freight and baggage between Los Angeles and Banning. A certificate of public convenience and necessity was granted to him on the 23rd day of March 1920 by Decision No. 7306. He subsequently applied to the Railroad Commission, under Application No. 6301 for authority to transfer such operative rights to H. L. Boutell and H. S. Fuqua and thereafter filed an amended application No. 6301, in which he applied to transfer such operative rights to Guy C. Welton and Earl Snyder. Prior to a decision on Application No. 6301, as amended, independent applications for certificates were filed by both Welton and Snyder and Boutell and Fuqua, and after a hearing duly held, at which Fred D. Pearce did not appear as a protestant, a certificate of public convenience and necessity to operate between Los Angeles, Beaumont and Banning was granted to H. L. Boutell and

and H. S. Fuqua.

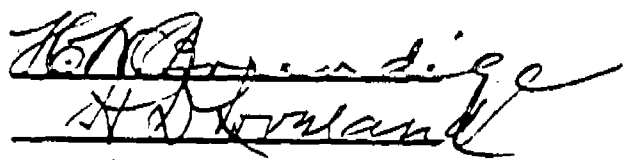


At such hearing it was shown that Fred D. Pearce had, several months previously, abandoned his service between the above named points, and we are of the opinion that such abandonment of service constitutes a relinquishment of the operative rights heretofore granted Fred D. Pearce under Decision No. 7306, and that such operative rights should be suspended pending further order of the Commission and that application No. 6301 to transfer such operative rights should be dismissed.

It appearing to the Commission that this is a matter in which a public hearing is not necessary,

IT IS HEREBY ORDERED that the certificate of public convenience and necessity heretofore granted to Fred D. Pearce, by Decision No. 7306 be, and the same hereby is suspended pending further order of the Commission, and

IT IS HEREBY FURTHER ORDERED that Application No. 6301, be, and the same hereby is denied. . .

Dated at San Francisco, California, this 21<sup>st</sup> day of June, 1921.

  
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Commissioners