

Decision No. 27241

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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REGULATED CARRIERS, INC., a corporation,

Complainant,

vs.

W. J. FORTIER and C. J. FORTIER, doing  
business under the fictitious name and  
style of Fortier Transportation Company,  
G. L. FORTIER and C. E. FORTIER, doing  
business under the fictitious name and  
style of Fortier Brothers, FIRST DOE,  
SECOND DOE, THIRD DOE, FOURTH DOE,  
FIFTH DOE, FIRST DOE CORPORATION,  
SECOND DOE CORPORATION, THIRD DOE  
CORPORATION, FOURTH DOE CORPORATION,  
FIFTH DOE CORPORATION,

Defendants.

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) Case No. 3402  
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**ORIGINAL**

BY THE COMMISSION:

SUPPLEMENTAL ORDER AND  
ORDER DENYING REHEARING

W. J. and C. J. Fortier having filed a petition for rehearing of Decision 26876, careful consideration having been given to the allegations thereof, and after review of the record herein, IT IS HEREBY ORDERED that the order in Decision 26876 is hereby amended and modified to read as follows:

" O R D E R

IT IS HEREBY FOUND that W. J. and C. J. Fortier, co-partners, under the fictitious name of Fortier Transportation Company, are operating as a transportation company, as defined in Section 1, subdivision (c) of the Auto Truck Transportation Act, Statutes 1917, Chapter 213, as amended, with common carrier status between San Francisco and Oakland, on the one hand, and Fresno on the other hand, without a certificate of public con-

venience and necessity or prior right authorizing such operation.

Based upon the finding herein and the opinion,

IT IS HEREBY ORDERED that W. J. Fortier and C. J. Fortier, co-partners, under the fictitious name of Fortier Transportation Company, and each of them, shall cease and desist directly or indirectly or by any subterfuge or device from continuing such operation, unless and until they shall have obtained a certificate of public convenience and necessity therefor."

IT IS FURTHER ORDERED that the Secretary of this Commission shall cause a certified copy of this decision to be personally served upon W. J. Fortier and C. J. Fortier; and that he cause certified copies to be mailed to the District Attorney of the City and County of San Francisco, the District Attorneys of Alameda, San Mateo, Contra Costa, Fresno, Tulare, and Kings Counties, and to the Department of Public Works Division of Highways, Sacramento.

IT IS HEREBY FURTHER ORDERED that the complaint is hereby dismissed as to G. L. Fortier and C. E. Fortier, co-partners under the name of Fortier Brothers.

IT IS HEREBY FURTHER ORDERED that the petition for rehearing filed by W. J. Fortier and C. J. Fortier is hereby denied.

The effective date of this decision shall be twenty (20) days after the date of service above mentioned.

Dated at San Francisco, California, this 4th day of September 1934.

John A. Whiteley  
W. J. Fortier  
C. J. Fortier  
W. J. Fortier  
Commissioners