

Decision No. 30177

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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McMURRAY TRANSPORTATION SERVICE, LTD., a corporation, )

Complainant, )

vs. )

Case No. 4098

HERMAN BURCHARDI, PETER AMBY, JOEN ROTH, SOPHIE GREGERSEN, BATTESITA ERRANOVA, ROBERT ACQUISTAPACE, ISAAC SAEM, THOMAS PETERSEN, CARL CHRISTIAN, TED CHRISTIAN, OWEN HOLLISTER, A. M. HUNT, GEORGE JOHANSEN, and SANTA BARBARA MILK PRODUCERS ASSOCIATION, )

Defendants. )

**ORIGINAL**

BY THE COMMISSION:

ORDER ANNULING DECISION AND DISMISSING COMPLAINT

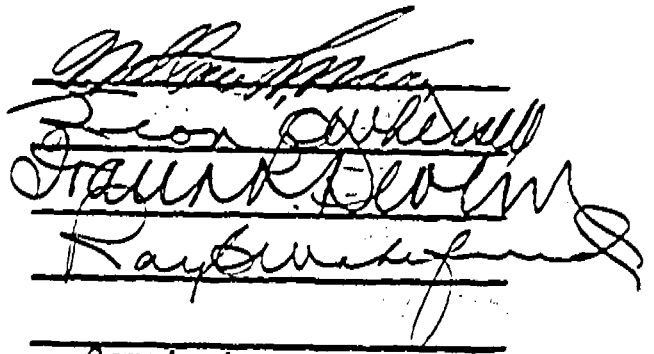
Decision No. 29581, issued on March 1, 1937, found that Santa Barbara Milk Producers Association, a non-profit cooperative association, in hauling by truck for its members only was a "highway contract carrier" within the meaning of the Highway Carriers' Act, Stats. 1935, Ch. 223, and it was ordered to desist until a proper permit should be obtained. The matter was thereafter reopened for further hearing for the purpose of determining whether the decision should be rescinded, altered or amended in any particular. By Stats. 1937, Ch. 722, Sec. 1(f)(5) of the Highway Carriers' Act was amended to exempt:

"Any nonprofit agricultural cooperative association organized and acting within the scope of its powers under Chapter 4, Division VI of the Agricultural Code to the extent only that it may be engaged in transporting its own property or the property of its members."

Good cause appearing, IT IS ORDERED that Decision 29581 is

hereby annulled and cancelled and Case No. 4098 is hereby dismissed.

Dated, San Francisco, California, September 27, 1937.

  
The block contains three handwritten signatures in cursive script, each written over a horizontal line. The signatures are arranged vertically and appear to be those of the commissioners mentioned in the text below.

Commissioners