

Decision No. 31070

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
on the Commission's own motion into)
the highway carrier operations, rates,)
charges, contracts and practices of)
ANDREW RAYL.)

Case No. 4292

NATHAN B. McVEY, for respondent.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In this proceeding an investigation was instituted by the Railroad Commission, on its own motion, to particularly determine whether respondent Rayl had engaged in the transportation of property as a radial highway common carrier or highway contract carrier, regularly or frequently, beyond a radius of fifty miles of Waterford, the principal place of garaging of respondent's motor vehicles, without procuring and continuing in effect and on deposit with said Commission, as required by law, adequate public liability and property damage protection during the life of permits to so operate.

A public hearing thereon was held by Examiner Paul on June 8, 1938, at Modesto, at which time and place evidence was adduced, and the proceeding having been submitted is now ready for decision.

Respondent appeared in person and was represented by counsel.

Evidence was adduced that respondent had made numerous trips between Modesto and San Francisco and Oakland transporting property by motor vehicles for compensation during the months of October and November of the year 1937.

Respondent testified that he has surrendered all of his C.R.C. truck plates with the view of abandoning all operation as a highway carrier, as defined in the Highway Carriers' Act, and has requested the Commission to revoke all permits now held by said respondent, issued to him in pursuance to the provisions of said Highway Carriers' Act. In compliance with such request respondent's radial highway common carrier permit, the only permit held by respondent, has been revoked.

In view of such revocation it appears to be appropriate to dismiss the instant proceeding. An order will be rendered accordingly.

O R D E R

A public hearing having been held in the above-entitled matter, and in pursuance to the view expressed in the opinion herein,

IT IS ORDERED that the proceeding herein is hereby dismissed.

Dated at San Francisco, California, this 30th day of June, 1938.

Matthew A. Mason
Leon A. W. Kelly
Frank A. W. Kelly
Ray W. W. Kelly
Carl E. Riley
COMMISSIONERS