

Decision No. 31071

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
LOUIS P. KERNER, JR., doing business ) Application No. 22065  
as KERNER MOTOR COMPANY, for )  
authority to discontinue service. )

BY THE COMMISSION:

**ORIGINAL**

O P I N I O N

In this application Louis P. Kerner, Jr., doing business as Kerner Motor Company, requests authority of the Commission to temporarily suspend, for a period of three months, his highway common carrier operation heretofore authorized by Decision No. 28611 and Decision No. 30283 which authorized the transportation of perishable farm products from the Sacramento Delta Region adjacent to Rio Vista to the markets in San Francisco and Oakland.

As justification for the authority sought, it is alleged that, due to unusual weather conditions and other factors, said products have not moved in sufficient volume during the current season to enable applicant to operate profitably with the result that he is now forced to temporarily discontinue his services. The authority sought for a temporary suspension of service is to enable applicant to obtain such additional capital as may be necessary to conduct his operations.

Applicant alleges that he has arranged with other highway common carriers serving the same territory to care for the traffic formerly handled by applicant.

In view of the circumstances and the allegations set forth by applicant, it appears to be in the public interest to

grant the authority requested. No public hearing appearing to be necessary, the matter will be handled ex parte.

O R D E R

IT IS HEREBY ORDERED that Louis P. Kerner, doing business as Kerner Motor Company, is hereby authorized to temporarily suspend the highway common carrier operations heretofore authorized by Decision No. 28611, dated March 2, 1936, on Application No. 20154, and Decision No. 30283, dated November 1, 1937, on Application No. 21495, until and including October 15, 1938, subject to the following conditions:

- (1) Applicant shall within five (5) days of the date hereof, on one (1) days notice to the Commission and the public, file supplements to his tariffs and time schedules giving effect to the temporary suspension herein authorized.
- (2) Applicant shall reestablish his highway common carrier service upon the expiration date of the suspension herein authorized or abandon and relinquish his operative right.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of

June, 1938.

Walter A. Moore  
Leon S. Whidell  
Dennis R. Wilson  
Robert A. Whidell  
Chas. A. Kelly  
COMMISSIONERS.