

Decision No. 31275

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
C. W. CARLSTROM for authority to )  
suspend operation of passenger and ) Supp. Application No. 21078  
express line operated between )  
Brawley and San Diego, California. )

BY THE COMMISSION:

OPINION AND ORDER DECLARING CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY  
ABANDONED, CANCELLING SAME, AND DISMISS-  
ING APPLICATION.

By Decision No. 29623, dated March 29, 1937, in Application No. 21078, C. W. Carlstrom acquired the operative right theretofore held by one W. H. Prewitt under prior decisions of this Commission, viz., Decision No. 29137, dated September 28, 1936, in Application No. 20728; Decision No. 27101, dated May 28, 1934, in Application No. 19510; and Decision No. 23988, dated May 29, 1933, in Application No. 18866. The right so acquired by Carlstrom, and now held by him, is for the automotive transportation of passengers and express, as a common carrier, between Brawley and San Diego, California, and intermediate points.

In Supplemental Application No. 21078, the applicant C. W. Carlstrom sought authority to suspend operation under this certificate on the ground that after the applicant received and accepted the transfer, an investigation made by him indicated that the demand for the service did not justify the operation. Applicant admitted that no operation had ever been conducted under the

certificate since its acquisition by him.

Subsequently, applicant, through his attorney, advised the Commission that he desired cancellation of the certificate. In view of this request, and of the testimony to the effect that the operation had already been suspended without authority, the certificate should be declared abandoned, and should be cancelled and annulled, and the application for suspension dismissed.

O R D E R

A public hearing having been had in the above entitled matter, the matter having been submitted, and the Commission now being fully advised,

IT IS HEREBY FOUND that the certificate of public convenience and necessity for the automotive transportation of passengers and express, as a common carrier, between Brawley and San Diego, and intermediate points, acquired and held by applicant C. W. Carlstrom under and by virtue of Decision No. 29623, dated March 29, 1937, in Application No. 21078; Decision No. 29137, dated September 28, 1936, in Application No. 20728; Decision No. 27101, dated May 28, 1934, in Application No. 19310; and Decision No. 25922, dated May 29, 1933, in Application No. 18306, has been and the same now is abandoned by reason of unauthorized suspension of operations under said certificate by C. W. Carlstrom.

IT IS HEREBY ORDERED that by reason of said abandonment, and pursuant to the request of said C. W. Carlstrom, said certificate of public convenience and necessity be and the same is hereby cancelled, revoked, and annulled.

IT IS HEREBY FURTHER ORDERED that Supplemental  
Application No. 21078, for authority to suspend operations  
under said certificate, be and the same is hereby dismissed.

Dated at San Francisco, California, this 19<sup>th</sup> day  
of September, 1938.

Raymond L. Kelley  
Leon A. White  
Frank P. Newberry  
Ray L. Kelley

Commissioners.