

Decision No. 29507

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
upon the Commission's own motion) Case No. 4541.
into the operations of the McGOUGH)
BROS. TRANSPORTATION CO.)

Mr. Russell D. Garner, for Defendant.

WAKEFIELD, Commissioner:

OPINION AND ORDER

This is a proceeding instituted by the Commission on its own motion for the purpose of determining whether or not the certificate of public convenience and necessity granted by Decision No. 29507, in Application No. 20367, should be revoked because of unauthorized discontinuance of service.

Public hearing herein was conducted at Los Angeles on July 24, 1940, subsequent to due notice by registered mail upon Roy E. McGough and Earl J. McGough, operating under the name of McGough Brothers Transportation Company; the matter was submitted and it is now ready for decision. Respondents herein did not personally appear at the hearing, but were represented by counsel.

Counsel for respondents stated at the hearing that respondents are not now financially able to provide the service authorized by the certificate referred to above, that during the season of 1939 the service was provided for nine days only, and that no service has been provided during the 1940 season.

Under the circumstances and for the reasons set forth above, counsel requested at the hearing that the Commission authorize the McGough Brothers Transportation Company to relinquish the certificate hereinbefore described, issued for the transportation of persons between Santa Monica and Avalon, Santa Catalina Island. It appears from the record herein, and in accordance with the request of respondents, that the certificate granted under Decision

No. 29507, in Application No. 20867, should be revoked and the following Order will so provide.

O R D E R

An Order having been issued on July 10, 1940, instituting an investigation into the operations of McGough Brothers Transportation Company, for the purpose of determining whether or not the certificate for the operation of common carrier motor boat service between Santa Monica and Avalon should be revoked, a public hearing having been held, the matter having been duly submitted and the Commission being now fully advised;

IT IS HEREBY ORDERED that the certificate of public convenience and necessity heretofore granted by this Commission in its Decision No. 29507, dated February 1, 1937, in Application No. 20867, granting to McGough Brothers Transportation Company the right to operate a motor boat service for the transportation of passengers and their hand baggage between the Port of Santa Monica and the Port of Avalon, both in the County of Los Angeles, be and the same hereby is revoked and annulled, and that no further service by McGough Brothers Transportation Company may be given under the certificate hereinabove referred to.

The effective date of this Order shall be twenty (20) days from the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 30th day of July, 1940.

Franklin
R. B. ...
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Commissioners.