

Decision No. 34738

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application)
of Kellogg Express & Draying)
Co., a corporation, for a)
certificate of public conven-)
ience and necessity to oper-)
ate a warehouse, for compen-)
sation.)

Application No. 20028

BY THE COMMISSION:

ORDER OF DISMISSAL

In the above entitled application, filed June 24, 1935, Kellogg Express & Draying Co. sought a certificate of public convenience and necessity authorizing it to operate as a public utility warehouseman in the City of Oakland. The matter was scheduled for public hearing but was on applicant's request postponed indefinitely and removed from the Commission's calendar. In response to subsequent inquiries applicant repeatedly informed the Commission that it was not ready to proceed. Finally, in view of the time that had elapsed since the filing of the application, applicant was notified on September 12, 1941, by letter, that further postponement of the hearing was considered inadvisable and that, under the circumstances, consideration would be given to dismissing the application for want of prosecution unless the Commission were informed within a reasonable time of applicant's readiness to

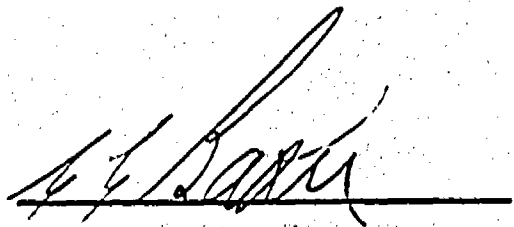
A.L.
A. 20028

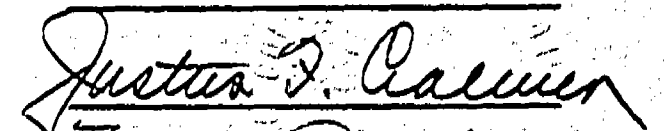
proceed. No reply to this letter has been received.


Therefore, good cause appearing,


IT IS HEREBY ORDERED that the above entitled application
be and it is hereby dismissed.

Dated at San Francisco, California, this 4th day of
November, 1941.









Commissioners.