

Decision No. 37364

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation by the )  
Commission upon its own motion into the )  
operations, practices, rates, rules and ) Case No. 4739  
regulations, and charges of FRANK HAINLINE, )  
DONALD D. PAYNE and SPECIAL SERVICE TRANS- )  
PORTATION CORPORATION, LTD., a corporation.)

Phil Jacobson, representing Special Service  
Transportation Corporation, Ltd.

BY THE COMMISSION:

O P I N I O N

**ORIGINAL**

A public hearing was conducted in the above entitled proceeding before Examiner Hunter at Los Angeles, August 24, 1944, and the matter is now ready for decision.

By the terms of the Commission's order in its Decision No. 36974, dated April 4, 1944, in Application No. 25990, Special Service Transportation Corporation, Ltd., was authorized to sell, and Frank Hainline and Donald D. Payne to purchase and acquire, the operative rights created by Decision No. 32205, dated August 1, 1939, on Application No. 22595, together with certain truck equipment. This operation consisted of transporting films and film accessories between Los Angeles on the one hand and certain points between Santa Barbara and Atascadero on the other hand.

The Commission's files show that this transfer was consummated in accordance with the terms of said Decision No. 36974. Donald D. Payne testified in the instant proceeding that, following the transfer, the operation was conducted for a short time by Frank Hainline, and that he, Payne, did not participate in the business; also that he no longer desired to retain any interest in the rights granted in said Decision No. 36974, and that, in so far as he was concerned, he was agreeable to having the certificate revoked. Mr. Payne further testified that to the best of his

knowledge, Mr. Hainline had abandoned the operation and departed from that part of the State.

John C. Hays, one of the Commission's investigators, testified that as a result of a field investigation, he had been advised that Hainline commenced the operation involved herein on April 19 and terminated it on April 30, 1944; also that an extended search failed to reveal Mr. Hainline's present address. Mr. Hainline did not respond to the notice of this hearing mailed him.

There is nothing in this record from Special Service Transportation Corporation, Ltd., to show that it has any further interest in the certificate involved herein.

It appears from this record that Frank Hainline and Donald D. Payne have discontinued and abandoned the operation authorized in said Decision No. 36974, which was originally created by said Decision No. 32205, therefore, this certificated right will be annulled, and the following Order will so provide.

#### O R D E R

Investigation having been instituted as above entitled; a public hearing having been had; and the Commission being now fully advised,

IT IS ORDERED as follows:

(1) That the certificate of public convenience and necessity acquired by respondents Frank Hainline and Donald D. Payne pursuant to Decision No. 36974, rendered April 4, 1944, in Application No. 25990, and originally granted to Special Service Transportation Corporation, Ltd., a corporation, by Decision No.

32205, rendered August 1, 1939, in Application No. 22595, be and it hereby is revoked and annulled.

(2) That any and all tariffs and time schedules heretofore filed with the Commission by respondents Frank Hainline and Donald D. Payne relating to said operation be and they hereby are cancelled.

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

Dated at San Francisco, California, this 26<sup>th</sup> day of September, 1944.

Justin F. Coleman  
Francis D. Havens  
Frank W. Coe  
Irving D. Russell  
COMMISSIONERS