

Decision No. 40287

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Paul Marlowe )  
 Alley and Paul Alley, as co- )  
 partners, to abandon Certificate ) Application No. 28406  
 of Public Convenience and Neces- )  
 sity. )

ORIGINAL

ORDER OF REVOCATION

By Decision No. 38306, dated October 16, 1945, Paul Marlowe Alley and Paul Alley, co-partners, acquired by transfer from Wells Truckways, Ltd., an operative right as a common carrier. Under this operative right Paul Marlowe Alley and Paul Alley, co-partners, are authorized to engage in the transportation of livestock between certain points more specifically described in the margin.<sup>1</sup>

<sup>1</sup> By Decision No. 32673, rendered December 19, 1939, in Applications Nos. 22243 and 22467, Wells Transportation, Inc., was authorized to engage in the transportation of livestock over certain routes, including intermediate points, with the right to make lateral departures from such routes within a radius of 50 miles.

"These routes are described as follows:

1. U. S. Highway No. 101 between Los Angeles and Santa Maria
2. U. S. Highway No. 99 between the Mexican border south of Calexico and Modesto
3. U. S. Highway No. 6 between Los Angeles and Bishop
4. U. S. Highway No. 395 between Bishop and the Nevada state line north of Coleville
5. U. S. Highway No. 60 between Los Angeles and the Arizona state line east of Blythe
6. U. S. Highway No. 80 between the Arizona state line east of Winterhaven and El Centro."

This operative right was acquired by Wells Truckways, Ltd., pursuant to Decision No. 36860, rendered February 8, 1944, in Application No. 25979.

The applicants have requested a revocation of the operative right described in Decision No. 38306 and state that at the time of this acquisition Paul Alley was engaged in the transportation of livestock by motor truck as a common carrier under Certificate of Public Convenience and Necessity, and proposed, with his son Paul Marlowe Alley, to engage in the operation pursuant to the operative rights here in question. However, said partnership did not acquire any motor vehicle equipment and did not commence the transportation of livestock under said operative rights; that Paul Alley has disposed of his business pursuant to Decision No. 39247, dated June 30, 1946, and is now engaged in ranching with Paul Marlowe Alley in the State of Texas.

It appearing that all service and operations of Paul Marlowe Alley and Paul Alley, co-partners, have been discontinued without authority of the Commission, thereby resulting in unauthorized abandonment of said operative right, therefore, and good cause appearing, it is found that Paul Marlowe Alley and Paul Alley have abandoned said certificate,

IT IS ORDERED that the certificate granted by Decision No. 38306 is hereby revoked and annulled and all effective tariffs and time tables on file with the Commission in the name of Paul Marlowe Alley and Paul Alley, co-partners, are hereby cancelled.

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

Dated at San Francisco, California, this 20<sup>th</sup>  
day of May, 1947.

Harold P. Hubbs  
Justice J. Calver  
Geo. H. Powell  
A. F. [unclear]  
Frederick [unclear]  
 COMMISSIONERS