

Decision No. 42963

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of FERN TRUCKING COMPANY, a cor-)
poration, for an Order authorizing)
Applicant to Issue Notes totaling)
\$300,000.00.)
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Application
No. 30345

ORDER OF DISMISSAL

The Commission has granted to Fern Trucking Company no certificate of public convenience and necessity authorizing it to operate as a highway common carrier, nor has the company been authorized by the Commission to engage in any other public utility business. The Commission has granted the company permits under the Highway Contract Carriers' Act and the City Carriers' Act, but the holding of such permits does not bring the company within the definition of a public utility, as that term is defined in the Public Utilities Act.

The Commission has considered the above number application and is of the opinion that it should be dismissed for lack of jurisdiction; therefore,

IT IS HEREBY ORDERED that the application be, and it is hereby, dismissed for lack of jurisdiction.

IT IS HEREBY FURTHER ORDERED that this order is effective upon the date hereof.

Dated at San Francisco, California, this 7th day of June, 1949.

R. B. [Signature]
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Commissioners