

**ORIGINAL**

Decision No. 61201

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ) DONALD E. NOLAN for authorization of ) rate lower than minimum (commodities ) for which rates are provided in ) Minimum Rate Tariff No. 2, Item No. ) 690-M). )	Application No. 42498
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Sapper & Buzza by Joseph J. Buzza, for  
 applicant.  
Thomas Morley and John B. Nance, for  
 the Commission staff.

ORDER OF DISMISSAL

By application filed July 22, 1960, Donald E. Nolan, a highway permit carrier, seeks authority to charge a lesser rate than the established minimum rate for the transportation of lumber from Van Duzen Mill, Swain's Flat, to Southern Humboldt Lumber Company Mill, Carlotta. At the hearing held August 30, 1960, before Examiner Jack E. Thompson at Eureka, counsel for applicant stated that applicant was uncertain whether to prosecute the application and requested that the matter be continued. The application was continued to a date to be set and counsel was informed that if after thirty days applicant did not notify the Commission of its intent to go forward, the application would be dismissed.

Applicant has not informed the Commission of its desire to prosecute the matter, therefore, good cause appearing,

IT IS ORDERED that the application filed July 22, 1960 by Donald E. Nolan is dismissed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup> day of November, 1960.

[Signature]  
 President

[Signature]

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 Commissioners