

Decision No. 82771

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of THOMAS JOSEPH O'NEILL JR. for
certificate of public convenience
and necessity to operate passenger
service between Union City, Newark,
and Fremont and San Francisco
and/or San Jose.

Application No. 54521
(Filed December 18, 1973)

Donald Morgan, for Metropolitan Transportation
Commission, interested party.
Ora A. Phillips, for the Commission staff.

OPINION AND ORDER

This application came on for hearing at Fremont on March 4, 1974 before Examiner Pilling. Prior to the opening of the hearing, a member of the Commission staff received a telephone call from a person who identified himself as the applicant. He stated that he was not going to proceed with the application and was not going to attend the hearing. The substance of this call was reported to the examiner. Neither the applicant nor his representative attended the hearing.

After consideration the Commission concludes that the application should be dismissed for failure of prosecution.

IT IS ORDERED that the application is dismissed.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 23rd
day of APRIL, 1974.

Vernon L. Stenger
President
William J. Stenger
William J. Stenger
William J. Stenger
Commissioners