Decision No. <u>89273</u> AUG 2 2 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WEBSTER DELIVERY SERVICE, INC., a corporation, for a Certificate of Public Convenience and Necessity authorizing interstate service as a highway common carrier of specified commodities in the Los Angeles Basin Territory.

Application No. 55339 (Filed November 21, 1974; amended January 29, 1975 and June 30, 1975)

Jeffrey T. Oberman, Attorney at Law, for applicant. Russell, Schureman, Fritze & Hancock, by <u>R. Y. Schureman</u>, Attorney at Law, for City Freight Lines, Griley Freight Lines, Los Angeles City Express, Inc., and Container Freight Transportation Company, protestants.

ORDER OF DISMISSAL

Public hearing in this application was held before Administrative Law Judge Arthur M. Mooney in Los Angeles on May 16, 1977 and January 14, 1978. At each hearing the matter was continued at the request of applicant without the taking of evidence. By letters dated May 2 and 9, 1978, applicant's attorney requested that the continued hearings in the matter scheduled for May 9, 10, and 11, 1978 be removed from the calendar and advised that it should be dismissed if within 30 days a request was not made on behalf of his client to reschedule the matter for hearing within two months. Applicant's attorney was informed by letter dated June 20, 1978 that since he had not advised the Commission that his client wished to proceed further with the matter, it would be recommended for dismissal. Having received no further information regarding this from applicant or his attorney.

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IT IS ORDERED that Application No. 55339 is dismissed. The effective date of this order shall be thirty days after the date hereof.

Dated at <u>San Francisco</u>, California, this <u>22</u> day of <u>AUGUS</u>, 1978.

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Commissioners

Commissioner Richard D. Gravello, being mecessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent. did not participate in the disposition of this proceeding.