Decision No. 13330

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of C. P. STANBROUGH for certificate of public convenience and necessity to operate freight service between San Francisco, Antioch and Sacramento, and via Oakland, Dublin, Livermore, Tracy, Stockton, Lodi, Valt, out of Dublin to Antioch via Concord, Martinez and Pittsburg.

WRIGINAL.

Application No. 9625

BY THE COLORISSION,

ORDER DRNYING RESEARING

On January 15, 1924, the Railroad Commission issued its Decision No. 13042 in the above entitled application in which said application was denied on the grounds as more fully set forth in the decision above referred to. On February 18, 1924, applicant through his attorney filed what was ontitled "Amended and Supplemental Application", but what was intended to be a petition for rehearing and reconsideration of the Commission's decision of January 15, 1924. The only amendment to the previous holding out of applicant was the lengthening of the time schedule by forty-five (45) minutes.

The petition questions the right of the Commission to consider freight service rendered by water carriers between points proposed to be served or to consider the service rendered by the American Railway Express, the latter due to the fact that it is termed an express service while applicant herein terms his proposed service freight. Express service is nothing more or

less than expedited freight and must be given consideration by the Commission in its determination as to whether or not public convenience and necessity require the establishment of additional service for the transportation of property for compensation over any regular route or between fixed termini.

No new condition being set forth in said petition, and good mause appearing,

IT IS HEREBY ORDERED that the petition for rehearing entitled "Amended and Supplemental Application" be, and the same hereby is denied.

Dated at San Francisco, California, this <u>LL</u> day of March 1924.

Commissioners