

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
COUSINS LAUNCH AND LIGHTER COMPANY)
for authority to cancel freight and)
passenger tariffs naming rates,)
fares, rules and regulations for the)
transportation of persons and proper-)
ty on Humboldt Bay.)

Application No. 13713.

BY THE COMMISSION:

OPINION AND ORDER

This is an application filed by the Cousins Launch and Lighter Company, a copartnership, seeking authority to cancel all freight and passenger tariffs now on file with the Commission naming rates, fares, rules and regulations for the transportation of persons and property between various points on Humboldt Bay as specifically set forth in the tariffs.

Applicant for a number of years has been operating vessels for the transportation of persons and property on Humboldt Bay, and filed freight and passenger tariffs with this Commission. However, the petition sets forth that during the past fifteen or sixteen years the service rendered has been that of a private contract carrier and not that of a common carrier, except that for a short time during the war period when the shipbuilding activity was at its height applicant did operate as a common carrier between Eureka and Rolph. This latter service was discontinued in 1919.

The records of the Commission in Application 13282, Decision No. 17978, dated February 8, 1927, and proceedings prior thereto show that the principal business of applicant consists of towing, lightering and stevedoring, and that the special freight and passenger business represents but a very

small fraction of the total business. It is also of record in Application 13282 that the transportation services of this applicant have been devoted entirely to the movement of freight and the employees of certain lumber companies between Eureka and Little River Wharf at contract rates, and although tariffs have been on file applicant has never in genuine practice performed a common carrier service as defined by the provisions of the Public Utilities Act.

Under the circumstances we are of the opinion that this is a proceeding not requiring a public hearing, and that the application should be granted; therefore, good cause appearing,

IT IS HEREBY ORDERED that the Cousins Launch and Lighter Company, a copartnership, be and it is hereby authorized to cancel on 15 days' notice to the Commission and the public, all freight and passenger tariffs naming rates, fares, rules and regulations for the transportation of persons and property between points on Humboldt Bay; this authorization however shall in no wise be considered as a determination by the Railroad Commission of the character of the operations of the said Cousins Launch and Lighter Company, a copartnership.

Dated at San Francisco, California, this 6th day of May, 1927.

Ernest
H. B. Bondage
Chas. J. ...
Leon ...
Thos. ...
Commissioners.