

Decision No. 30282

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 PIONEER EXPRESS COMPANY,
 a corporation, for permission to es-
 tablish rates, rules and regulations
 for transportation of property between
 San Jose, Los Gatos and intermediate
 points in lieu of the rates, rules and
 regulations in the present tariff.

ORIGINAL

Application No. 14753.

C. S. McLenegan for applicant.

BY THE COMMISSION:

O P I N I O N

In this proceeding Pioneer Express Company, a corpora-
 tion, seeks authority to cancel its Local Freight Tariff C.R.C.
 No. 4, naming the rates, rules and regulations governing the trans-
 portation of property between San Jose, Los Gatos and the inter-
 mediate points, and to publish in lieu thereof a more comprehen-
 sive schedule of rates and charges and rules and regulations ap-
 pertaining thereto as set forth in Exhibit "C" of the application.
 The proposed adjustment will result in both increases and reduc-
 tions in the present rates and charges.

A public hearing was held before Examiner Cannon at
 San Francisco September 7, 1928, and the application having been
 duly submitted is now ready for an opinion and order.

The operative right of applicant for the transportation
 of property between San Jose, Los Gatos and intermediate points
 was acquired from H. O. Crymble, operating under the fictitious

name of Los Gatos and San Jose Express Company by our Decision No. 18756, dated August 31, 1927, in Application No. 14006. In taking over the Crymble operative right applicant adopted the tariff then in effect, which contained rates on about 15 commodities. It is contended that this limited tariff has proven inadequate and insufficient to meet the demands of the shipping public and fails to provide sufficient revenue to cover the cost of operation. It is proposed to establish specific commodity rates on approximately 200 commodities that move in volume and a blanket rate of 20 cents per 100 pounds on merchandise not otherwise specified to care for the sporadic shipments.

The record shows that from January 1, 1928, to March 31, 1928, inclusive, the revenue received from applicant's operation was \$578.13, and the expenses, exclusive of interest on the investment but including depreciation on the equipment at the rate of 10% per annum, were \$671.02, resulting in a deficit of \$92.89. Under the proposed rates it is estimated the revenue would be increased approximately \$74.11 per month, resulting in a net income of slightly over \$100.00 for a three months' period.

It is in evidence that applicant has consulted with some 13 of the largest shippers using its service between San Jose and Los Gatos, who have stated they have no objection to the proposed adjustments. There were no appearances in opposition to the granting of the application.

After careful consideration of all the facts of record we are of the opinion and find that applicant should be authorized to cancel Tariff C.R.C. No. 4 and to establish in lieu thereof the rates, rules and regulations shown in Exhibit "C" attached to the application.

O R D E R

This application having been duly heard and submitted,

full investigation of the matters and things having been had, and basing this order on the findings of fact contained in the opinion which precedes this order,

IT IS HEREBY ORDERED that applicant, Pioneer Express Company, a corporation, be and it is hereby authorized to cancel upon not less than ten (10) days' notice to the Commission and to the public, Local Freight Tariff C.R.C. No. 4, and to establish in lieu thereof, in a tariff constructed in accordance with the rules and regulations contained in our General Order No. 80 of the Commission, the rates, rules and regulations set forth in Exhibit "C" of the application.

Dated at San Francisco, California, this 24th day of October, 1928.

Leon O'Whalley
C. Searcy

Thos. J. Rottet

M. A. Lee
Commissioners.