Decision No. 21394

DEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Sierra Transit Company, a corporation, for permission to sell and transfer and Sierra Nevada Stages, a corporation, to purchase and acquire the rights of Sierra Transit Company to operate an automobile stage line as a common carrier of passengers and express between Sacramento and Nevada City, etc.

Application No. 12728.



BY THE COMMISSION:

OPINION and 'ORDER on SUPPLEMENTAL APPLICATION

Sierra Nevada Stages, a corporation, in a supplemental application herein has requested an order of the Commission amending its Decision No. 16745 by the elimination from the order therein of the words "except Grass Valley" which impose a restriction on the service authorized to be performed by Sierra Nevada Stages between Sacramento and Auburn and Nevada City and intermediate points.

It appears from the records of the Commission that
the predecessors in interest of Sierra Nevada Stages always
served between Grass Valley and Sacramento, The operation
having been established prior to May 1, 1917. By Decision
No. 16747 Sierra Transit Company was authorized to transfer its
operating rights to Sierra Nevada Stages the order authorizing
the consolidation of the rights transferred into one complete
system for the transportation of passengers and express between

***** Sacramento and Nevada City, serving intermediate points, except. Crass Valley and points between Crass Valley and Nevada City ******

It was clearly the intent of the Commission to restrict the service between Grass Valley and Nevada City but not between Sacramento and Grass Valley. Tariffs and time schedules filed in connection with Decision No. 16747 and previous tariff filings show service between Sacramento and Grass Valley and the service has been continuously performed.

The order requested by the supplemental application should therefore, be granted and we are of the opinion that it is a matter which does not require a public hearing. Southern Pacific Company and Nevada County Narrow Gauge Railroad have advised the Commission that they have no objection to the issuance of the corrective order. Therefore

IT IS HEREBY ORDERED that that part of the order in Decision No. 16745 restricting service between Grass Valley and Squramento be amended to read as follows:

m****Sierra Wevada Stages be and it is hereby granted a certificate of public convenience and necessity to operate automobile stages for the transportation of passengers and express between Sacramento and Nevada City, serving intermediate points, except locally between Grass Valley and Nevada City, and points between Sacramento and Roseville

In all other respects the original order is to remain unchanged, no authority being granted by the order herein for the elimination of any restriction other than that between Sacramento and Grass Valley.

Dated at San Francisco, California, this 2916 day of

_1929.

COMMISSIONERS.