

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

UNITED RAILROADS OF SAN FRANCISCO,  
Complainant,

vs.

PENINSULA RAPID TRANSIT COMPANY,  
Defendant.

ORIGINAL

Case No. 835.

.....  
BY THE COMMISSION.

OPINION ON PETITION FOR REHEARING.

United Railroads of San Francisco have filed a petition for rehearing herein. The petition presents no new matter other than a reference to the decision of the Public Service Commission of West Virginia, rendered on August 19, 1915, in Smith vs. Munnely, (P.U.R. 1915 E., p. 177). From this case it appears that the statutes of West Virginia have conferred upon the Public Service Commission jurisdiction over all common carriers without anything in the statute to limit in any way the ordinary meaning of the term "common carrier." As indicated in our Opinion herein, such a case can have no applicability to the question in this State, in which the Public Utilities Act defines the term "common carrier" in such a way as not to include auto busses.

After careful consideration, no good reason occurs to us for altering the conclusion heretofore reached herein.

O R D E R.

UNITED RAILROADS OF SAN FRANCISCO having filed a petition for rehearing and careful consideration having been given to said petition and no good reason appearing why said petition should be granted,

IT IS HEREBY ORDERED that said petition for rehearing  
be and the same is hereby denied.

Dated at San Francisco, California, this 29<sup>th</sup> day  
of October, 1915.

Max Helein  
H. B. Cleveland  
Alvin J. Brown  
Edwin O. Edgerton  
Francis R. Derby

Commissioners.