

Decision No. 26062

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the applica-
tion of SAN FRANCISCO, NAPA
& CALISTOGA RY., a corporation,
for partial resumption of ser-
vice and continued suspension
of service of certain portion
of its line.

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) Application No. 18037
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BY THE COMMISSION:

ORIGINAL

THIRD SUPPLEMENTAL ORDER

By its Decision 24688 dated April 11, 1932, the Commis-
sion authorized applicant to suspend rail service between St.
Helena and Calistoga in Napa County with the right to either
abandon or resume service within one year. By subsequent
order the time limit of Decision 24688 was extended to April
11, 1934.

By its Decision 25947 the Commission authorized applicant
to restore rail service between the above mentioned points on
an experimental basis with leave to it to suspend such service
upon ninety (90) days notice to the Commission and the public
should the experimental operation prove to be unremunerative
and unjustifiable. Decision 25947 has not yet been acted
upon by the applicant, and it has made an informal request for
an interpretation of Paragraph 3 of the conditions contained
in said order before undertaking the proposed experimental ser-
vice. The applicant desires assurance that if it accepts the
order and undertakes the experimental service it will be per-

mitted to determine for itself within the period fixed by Decision 25847 whether the service is remunerative and justifiable and upon such basis determine whether to continue or discontinue such service. This interpretation of the Commission's order is reasonable and should be adopted. No barrier should be placed in the way of the Company's immediate acceptance of Commission Decision 25947 and the inauguration of the experimental service,

Good cause therefor appearing, IT IS HEREBY ORDERED that Condition 3 set forth in the order contained in Commission Decision 25947 be and the same is hereby amended to read as follows:

Applicant may without further authority from this Commission, upon ninety (90) days notice to the Commission and the public, discontinue said service if the operation proves to be unremunerative and unjustifiable.

In all other respects the Commission's order in said Decision 25947 shall remain in full force and effect.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 12th day of June 1933.

C. E. Seaver
Leon E. Eubank
W. H. Carr
W. B. Haines
Matthew H. Haines
COMMISSIONERS