

Decision No. 16894

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the )  
RAILWAY EXPRESS AGENCY, Incorporated, of )  
California, for authority to amend its ) Third Supplemental  
present certificated motor vehicle service ) Application  
to serve Terminous for the transportation ) No. 17447  
of express matter for the Railway Express )  
Agency, Incorporated, or its successors. )

BY THE COMMISSION -

OPINION

**ORIGINAL**

Applicant seeks the enlargement of its rights heretofore granted for the transportation by auto truck of shipments consigned to Railway Express Agency, Inc. of Delaware, of which applicant is a subsidiary. Applicant now has authority to transport such shipments between Sacramento and Rio Vista and intermediate points, or to Elk Grove, Lodi or Stockton. It now seeks extension of these rights to receive shipments at Terminous and to transport them to Galt, Lodi or Stockton for transshipment of rail carriers. The service is performed under contract and the rates of Railway Express Agency, Inc. of Delaware are to be charged. The particular commodity now requiring prompt movement, largely to the markets at the San Francisco Bay area, Los Angeles and eastern points is asparagus and the point of reception, Terminous, is in the heart of the asparagus growing area. No truck transportation serves Terminous and the rail schedules are not adapted to fast movement of the commodity.

This appears to be a matter in which a public hearing is not necessary. The application will be granted and authority to establish rates and service on one day's notice, as requested, granted.

ORDER

Railway Express Agency, Inc. of California having made application to extend its truck service between Galt, Lodi and Stockton to Terminous, for the purpose of transporting shipments consigned to Railway Express Agency, Inc. of Delaware only,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the establishment of such service over and along the main highways between Terminous and Galt, Lodi and/or Stockton, as an extension and enlargement of the rights heretofore granted by Decision No.24134, dated October 19, 1931, Decision No.25455, dated December 19, 1932, and Decision No.25826, dated April 17, 1933, each on Application No.17447 herein, and the rights herein being consolidated with said rights; and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity therefor be and the same hereby is granted Railway Express Agency, Incorporated, of California, subject to the following conditions:

1. Applicant shall file, its written acceptance of the certificate herein granted within a period of not to exceed fifteen (15) days from date hereof.
2. Applicant shall file, in triplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than one day's notice to the Commission and the public a tariff or tariffs constructed in accordance with the requirements of the Commission's General Orders and containing rates and rules which, in volume and effect, shall be identical with the rates and rules shown in the exhibit attached to the application insofar as they conform to the certificate herein granted.
3. Applicant shall file, in duplicate, and make effective within a period of not to exceed thirty (30) days after the effective date of this order, on not less than one day's notice to the Commission and the public, time schedules covering the service herein authorized in a form satisfactory to the Railroad Commission.

4. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5. No vehicle may be operated by applicant herein unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 3<sup>d</sup> day of March, 1934.  
~~February~~

CL Leary  
Leon Wheeler

W. J. Lane

M. B. Lewis

Walter H. Hays  
COMMISSIONERS.