

Decision No. 34129

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all Radial Highway Common Carriers and Highway Contract Carriers operating motor vehicles over the public highways of the State of California, pursuant to Chapter 223, Statutes of 1935, for the transportation for compensation or hire of any and all commodities and accessorial services incident to such transportation.

Case No. 4088

In the Matter of the Investigation and Establishment of rates, charges, classifications, rules, regulations, contracts and practices, or any thereof, of Common Carriers of property.

Case No. 4145

BY THE COMMISSION:

TWELFTH SUPPLEMENTAL ORDER

Case No. 4088, Parts "U"- "V"  
Case No. 4145, Parts "FF"- "GG"

THIRD SUPPLEMENTAL ORDER

Case No. 4088, Part "W"  
Case No. 4145, Part "KK"

Petitions and written requests have been filed in these proceedings by Vinita A. Jones, doing business as Marysville-Nevada City Auto Stage; Joseph Miller, doing business as Bay Rapid Transit Co.; Belden-Chester Stage Line (Guy C. Coykendall, owner); Moyers Stages (D. Moyers, owner); Original Stage Line, Inc.; and John Smalley, doing business as Amador Stage Lines, for exemption from the provisions of Decision No. 30370, as amended, in Cases Nos. 4088 and 4145; and by Inland Stages, Laguna Beach-Santa Ana Stage Line (Loren W. Smith), and Pacific Southland Stages, Incorporated, for exemption from the provisions of Decision No. 30746, as amended,

in the same cases. Petitions have also been filed by the Pasadena-Ocean Park Stage Line, Inc., for exemption from Decision No. 30370 in these proceedings, so far as that decision applies to freight and express operations on the Mount Wilson Division of that carrier, and for exemption from Decision No. 30746 to the extent that decision affects the express operations of that company on its Pasadena-Ocean Park Division.

All of the petitioners, with the exception of the Pasadena-Ocean Park Stage Line, Inc., allege that their freight operations are merely incidental to the operation of passenger stages or that they are engaged in transporting small packages exclusively. The latter carrier alleges that freight operations on its Mount Wilson Division are intermittent, only two small shipments having been handled during the six months period ending May 31, 1938, and that its other freight operations consist of transporting only small packages, baggage and express shipments.

It appears that the operations here involved are different in their essential characteristics from those for which minimum rates were designed and are similar to those as to which exemptions have heretofore been made. The petitions will be granted. Therefore, good cause appearing,

IT IS HEREBY ORDERED that paragraph (c) of Rule 20, Appendix "A" of Decision No. 30370, as amended, in Case No. 4088, Parts "U" and "V", and Case No. 4145, Parts "F" and "G", be and it is hereby further amended by adding the following:

"Shipments weighing 100 pounds or less transported by Vinita A. Jones, doing business as Marysville-Nevada City Auto Stage; Joseph Miller, doing business as Bay Rapid Transit Co.; Belden-Chester Stage Line (Guy C. Coykendall, Owner), Moyers Stages (D. Moyers, Owner); Original Stage Line, Inc.; John Smalley, doing business as Amador Stage Lines; and Pasadena-Ocean Park Stage Line, Inc."

IT IS HEREBY FURTHER ORDERED that Decision No. 30746, as amended, in Cases Nos. 4088, Part "Y", and 4145, Part "K", be and it is hereby further amended by exempting from the provisions thereof shipments weighing 100 pounds or less, transported by Inland Stages, Laguna Beach-Santa Ana Stage Line, Pacific Southland Stages, Incorporated and Pasadena-Ocean Park Stage Line, Inc.

In all other respects said Decision No. 30370, as amended, and Decision No. 30746, as amended, shall remain in full force and effect.

This order shall become effective ten (10) days from the date hereof.

Dated at San Francisco, California, this 1<sup>st</sup> day of August 1938.

Raymond  
Frank  
Frank  
Ray  
Commissioners