

Decision No. 31456

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

Part "U"

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

Part "F"

BY THE COMMISSION:

SEVENTEENTH SUPPLEMENTAL OPINION AND ORDER

By petitions or written requests, W. H. Caltoft, doing business as Sausalito, Stinson Beach and Bolinas Auto Line; D. S. Mitchell, doing business as Mitchell's Stages; Henry B. Elbert, doing business as The Arvin Line; Earl C. Cook, doing business as Cook's Stages; A. H. Weston and W. H. Curson, doing business as Weston & Curson Stage Line; and A. H. Weston, doing business as Woodland-Rumsey Auto Stage, seek exemption from application of Decision No. 30370, as amended, in the above entitled proceedings, as to shipments weighing 100 pounds or less. In general, these carriers allege that their respective freight and express operations are conducted in connection with passenger stage services or with the distribution of mail for the United States Government; that such operations consist chiefly of the transportation of small shipments on frequent schedules; that they are similar in all essential respects to operations of carriers heretofore granted a

similar exemption; and that they are not competitive to any serious extent with other carriers as to which the minimum rates are applicable.

It appears from the allegations made that the operations for which exemption is being sought are peculiar in nature and substantially similar to those of carriers who have already been exempted. The requested relief will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that paragraph (c) of Rule 20, Appendix "A" of Decision No. 30370 dated November 29, 1937, as amended, in the above entitled proceedings, be and it is hereby further amended by adding as exempted carriers Earl C. Cook, doing business as Cook's Stages; W. H. Caltoft, doing business as Sausalito, Stinson Beach and Bolinas Auto Line; D. S. Mitchell, doing business as Mitchell's Stages; Henry B. Elbert, doing business as The Arvin Line; A. H. Weston and W. H. Curson, doing business as Weston & Curson Stage Line; and A. H. Weston, doing business as Woodland-Rumsey Auto Stage, for the transportation of shipments of property weighing 100 pounds or less.

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

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16<sup>th</sup> day of

November, 1938.

Raymond  
Leon Whitwell  
Frank Wilson  
Carl Rees  
Commissioners