

Decision No. 31314.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
INDIAN VALLEY RAILROAD COMPANY, a)
corporation, for authority to abandon) Application No. 22123.
its line of railroad and operation)
thereof in Plumas County, California.)

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Applicant, Indian Valley Railroad Company, has applied to this Commission for certain amendments to Decision No. 31314, issued under date of October 3, 1938. This decision authorized the Indian Valley Railroad Company to abandon its line of railroad between Crescent Mills and Engelmene, California, and to cancel its tariffs and time schedules on file with this Commission on not less than thirty (30) days' notice to this Commission and the public. Applicant now requests that the abandonment and the cancelation of tariffs be permitted upon ten (10) days' notice to this Commission and the public, and that the necessary revocation of concurrences and powers of attorney be upon not more than twenty (20) days' notice to this Commission and the interested carriers.

Under the above noted decision of this Commission, the first date upon which the carrier could have abandoned its operations, provided it had complied with the terms of the order, would have been November 22, 1938. The Interstate Commerce Commission, in its Certificate of Public Convenience and Necessity in Finance Docket No. 12125, dated October 11, 1938, authorizes the same abandonment to become effective on or after November 10, 1938, but requiring, however, only ten (10) days' notice to that Commission and the public. Said decision also permits the revocation of Indian Valley Railroad Company's concurrences and powers of attorney upon twenty (20) days' notice to that Commission and the interested

carriers. The applicant has set November 30, 1938 for the date of the abandonment of its operations.

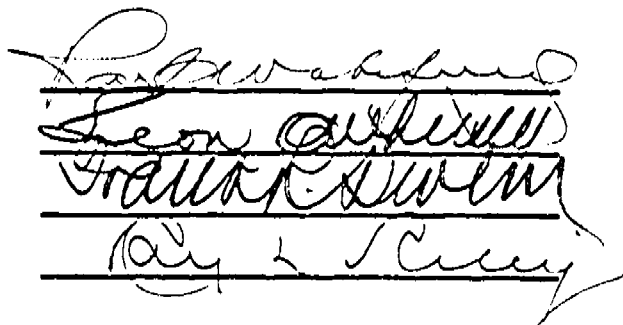
Applicant's plea is that this Commission's requirements as to thirty-day notice be reduced to ten and twenty days, respectively, so that they may coincide with those of the Interstate Commerce Commission, thus permitting the necessary tariff cancellations to be made concurrently on both interstate and intrastate traffic. Applicant advises this Commission that under date of November 4, 1938, the shippers affected were advised both by direct mail communication and by public posting of applicant's desire and intent to abandon the service effective November 30, 1938, subject, however, to the authorization of this Commission. It does not appear that the shippers will be inconvenienced by the shortening of the period of notice which applicant requests.

Good Cause Appearing,

IT IS HEREBY ORDERED that Decision No. 31314 of this Commission be amended to permit the Indian Valley Railroad Company to abandon its operations, and to cancel its tariffs, time schedules, concurrences and powers of attorney on file with this Commission on not less than ten (10) days' notice to this Commission and the public. In all other respects Decision No. 31314 shall remain in full force and effect.

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

Dated at San Francisco, California, this 10th day of November, 1938.



(Commissioners)