

Decision No. 31652

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Calaveras Transit Company, Ltd., for permission to restrict its operation for the transportation of express to 100 pounds per shipment, between points on its line in California.

Application No. 22426

BY THE COMMISSION:

OPINION AND ORDER

By this application Calaveras Transit Company, Ltd., a corporation, seeks an order restricting its operative rights for the transportation of express in connection with its passenger stage service, to shipments weighing 100 pounds or less.

In support of the application it is alleged that, although applicant's operative rights are not limited as to the size of the shipments to be transported, the express service

1 Applicant possesses an operative right to conduct a stage service for the transportation of passengers, baggage and express between Angels Camp via Bellota and Farmington; between Angels Camp, Dorrington and Lake Alpine via Murphys; between Valley Springs and Dam Site; and between points intermediate to the aforementioned points under certain specified conditions (Decision No. 21856 in Application No. 16123). In addition, applicant possesses operative rights to transport freight between Stockton, Murphys, Lake Alpine and intermediate points (Decision No. 25997 of May 29, 1933, in Application No. 18890 and Decision No. 31143 of August 1, 1938 in Application No. 22034). The freight right is not involved here.

actually being conducted consists of transporting shipments weighing 100 pounds or less. It is alleged, further, that if this application be granted, the expense of filing tariffs in conformity with the Commission's minimum rate orders covering transportation of shipments weighing more than 100 pounds will be avoided.²

Inasmuch as applicant is not now transporting express shipments weighing in excess of 100 pounds, the granting of this application will not deprive the public of service it now enjoys. Under these circumstances, this is not a matter in which a public hearing is necessary. The application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Calaveras Transit Company, Ltd. be and it is hereby authorized to cancel on not less than five (5) days' notice to the Commission and the public, rates, rules and regulations shown in its Local Express Tariff No. 1, C.R.C. No. 1 and supplement thereto, insofar as they pertain

2. By a petition filed concurrently with this application, this carrier seeks exemption from Decision No. 30370, as amended, in Part "F" of Case No. 4145 insofar as that order establishes minimum rates for the transportation of express in shipments weighing 100 pounds or less. Effective May 16, 1939, the order mentioned will be cancelled and superseded by Decision No. 31606 of December 27, 1938, in Case No. 4246, which latter decision exempts Calaveras Transit Company, Ltd. as to transportation of shipments weighing 100 pounds or less. By an order entered this day in Part "F" of Case No. 4145, this carrier is being exempted from Decision No. 30370, as to shipments weighing 100 pounds or less, transported during the intervening period.

to the transportation of shipments of express weighing more than 100 pounds, and, upon such cancellation, to discontinue and abandon all operations for the transportation of shipments of express weighing more than 100 pounds.

The authority herein granted shall lapse and become void if not exercised within sixty (60) days from the effective date hereof.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 16th
day of January, 1939.

Raymond W. ...
John P. ...
Ray H. ...
M. ...
Justus J. ...
Commissioners