

Decision No. 31212

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of A. H. WESTON)
and W. H. CURSON, doing business as the WESTON &)
CURSON STAGE LINE for permission to restrict their) Application
operation for the transportation of express to) No. 22325
100 pounds per shipment, between points on their)
line in California, and to cancel their present)
Local Freight Tariff.)

BY THE COMMISSION:

ORIGINAL

O P I N I O N

This is an application by A. H. Weston and W. H. Curson, operating under the name and style of Weston and Curson Stage Line, as an automotive common carrier of passengers, baggage, express and freight, generally between Woodland, Knights Landing, Robbins and Marysville and intermediate points, as heretofore granted, defined and restricted by Commission decisions hereinafter referred to. Applicants request a clarification of their operative right and an amendment of their certificate of public convenience and necessity to limit the transportation of property between all points authorized to be served, to that of transporting express, on passenger vehicles only, with no single shipment to exceed one hundred (100) pounds in weight. Applicants further request authority to cancel their local freight tariff No. 1, C.R.C. No. 1 naming freight rates between Woodland and Knights Landing.

As justification for the granting of the authority sought herein, applicants allege that at the present time and for some years past, express operations have consisted only of the hauling of small shipments not exceeding one hundred pounds per package, parcel or part and that no necessity exists for the continuation of a freight tariff naming rates over the same line and route authorized for express shipments. It is further alleged that the granting of the authority sought will not result in higher rates to the public and will result in a saving to the carrier with respect to certain expenses connected

with tariff filings required for compliance with various Commission rate orders.

It appears that under prevailing conditions applicants' request to restrict shipments to 100 pounds is reasonable. Attention is called to the fact that applicant is one of the carriers named in the Commission's order of its Decision No. 31606 in Case No. 4246, dated December 27, 1938, who are exempted from the prescribed rates, rules and regulations for the transportation of shipments weighing 100 pounds or less.

With respect to that portion of the application requesting a clarification of applicants' operative rights, it appears that if applicants desire an in lieu certificate consolidating the rights granted by the various orders under which it operates, an appropriate application should be filed seeking such relief.

O R D E R

IT IS HEREBY ORDERED that applicants are authorized to discontinue the transportation of property between Woodland and Marysville and intermediate points as heretofore acquired or created by Decisions Nos. 12190, 15768 and 17287 in Applications Nos. 9098, 12285 and 11716, and thereafter cancel their tariffs covering such operation, except, however, that property may be transported on passenger vehicles only and limited to 100 pounds per shipment.

The authority herein granted is subject to the condition that,

Applicants shall within thirty (30) days file in triplicate and on not less than ten (10) days' notice to the Commission and the public a tariff or tariffs in conformity with the authority herein granted.

In all other respects Decisions Nos. 12190, 15768 and 17287 shall remain unchanged and in full force and effect.

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

Dated at San Francisco, California, this 30th day of January, 1939.

Raymond S. ...
James R. ...
Ralph ...
...
Justin J. ...
Commissioners.