

Decision No. 31840

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of THOMAS R. ZITELLI for authority to discontinue operation of an automobile service as a common carrier of express shipments weighing in excess of 100 pounds between San Jose, Alviso, and intermediate points.

} Application No. 22620

BY THE COMMISSION:

O P I N I O N

By this application, Thomas R. Zitelli requests authority to discontinue service as a common carrier of express shipments weighing in excess of one hundred (100) pounds each, between San Jose and Alviso and intermediate points.

As justification for the authority sought, applicant alleges that shipments weighing in excess of one hundred pounds have rarely been tendered to applicant for transportation; that facilities are inadequate for the transportation of such shipments; that the expense of preparing and filing a tariff to comply with the requirements of the Commission's Decision No. 30370 in addition to the expense in rating and billing shipments would exceed the revenue derived.

Applicant is operating by virtue of authority of the Commission's Decision No. 31655, dated January 16, 1939, on Application No. 22483, under which applicant acquired an operative right for the transportation of passengers and packages weighing not to exceed thirty (30) pounds each, between San Jose and Alviso and intermediate points via Santa Clara. This right was originally granted to J. F. Meloney and G. H. Gillson, by the Commission's Decision No. 13567, dated May 17, 1924, on Application No. 9324.

This does not appear to be a matter requiring a public hearing.

The application will be granted.

O R D E R

IT IS ORDERED that Decision No. 13567, dated May 17, 1924, on Application No. 9324 is hereby amended by the addition of the following condition at sheet 5:

4. In the transportation of express no shipment weighing in excess of one hundred (100) pounds shall be transported.

IT IS FURTHER ORDERED as follows:

Applicant shall file in triplicate and on at least ten (10) days' notice to the Commission and the public, a tariff giving effect to the authority herein conferred.

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

Dated at San Francisco, California, this 20th day of March, 1939.

Robert W. [Signature]
Frank [Signature]
Ray [Signature]
[Signature]
Justus J. Caener
COMMISSIONERS