

Decision No. 31868

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
NEVADA COUNTY NARROW GAUGE RAILROAD)
COMPANY, for permission to restrict)
its operation for the transportation of) Application No. 22593
express to 100 pounds per shipment be-)
tween points on its line in California)

BY THE COMMISSION:

O P I N I O N

By this application Nevada County Narrow Gauge Railroad Company requests authority to discontinue service as a common carrier of express shipments weighing in excess of 100 pounds each on its passenger stages between Auburn and Nevada City and intermediate points via Grass Valley.

As justification for the authority sought, applicant alleges that if the authority requested is granted it will be enabled to avoid the necessity and expense of filing amended express tariffs to bring its rates, rules, and regulations into conformity with the various rate orders of the Commission, particularly Decision No. 30370, appendix "D," Decision No. 31606 and subsequent orders thereto as applied to shipments weighing in excess of 100 pounds.

The operating right involved was acquired from Pacific Greyhound Lines, Inc. under the authority of the Commission's Decision No. 25170, dated September 12, 1932, on Application No. 18390. The right as originally granted to Pacific Greyhound Lines, Inc. by Decision No. 23244, dated December 31, 1930, on Application No. 16989, authorized the transportation of passengers, baggage and

express between Auburn and Nevada City and intermediate points via Grass Valley. A limitation was placed upon the transportation of express which provided that no package weighing in excess of 100 pounds should be transported and all express to be transported on passenger vehicles only, provided, however, that such limitation did not apply to shipments transported for or through the agency of Railway Express Agency Incorporated and milk and cream and empty containers therefor when being transported to or from a rail junction point in conjunction with the rail transportation thereof.

This is not a matter requiring a public hearing and the application appearing to be in the public interest will be granted.

O R D E R

IT IS ORDERED that Nevada County Narrow Gauge Railroad Company, in the conduct of its passenger stage operation between Auburn and Nevada City and intermediate points, via Grass Valley, as heretofore acquired by virtue of the Commission's Decision No. 25170, is hereby authorized to abandon the transportation of express shipments weighing in excess of 100 pounds each, subject to the provision that all express shipments shall be transported on passenger carrying vehicles only.

IT IS FURTHER ORDERED as follows:

Applicant shall file in triplicate, within thirty (30) days from the effective date of this order, 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 Los Angeles, Calif., this 27th day of March, 1939.

Harold W. Johnson
Frank R. Johnson
Ralph L. Lacey
W. H. Lacey
Justus D. Adams
COMMISSIONERS