

Decision No. 31672

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
MOTOR TRANSIT COMPANY, a corporation,) Ninth Supplemental
for an in lieu certificate of public) Application No. 20948
convenience and necessity.)

BY THE COMMISSION:

TENTH SUPPLEMENTAL OPINION AND ORDER

In this application Motor Transit Company requests authority to discontinue service as a common carrier of express shipments weighing in excess of one hundred (100) pounds each between the various points which applicant serves in California.

As justification for the authority sought applicant alleges, in effect, that it is primarily engaged in the transportation of passengers by passenger stages and that its express service is conducted in connection with, and incidental to, its passenger stage service, and that in this respect applicant's operations are not different than the operations of other passenger stage corporations transporting property on passenger vehicles, which operations have generally been exempted from the provisions of the various rate orders of the Railroad Commission.

Applicant further alleges that, in general, its express operations consist largely of the handling of small shipments on frequent schedules as an accommodation service and the restriction of applicant's operative rights as proposed will have no serious effect upon the shipping public, and that by reason of the nature of applicant's express operations it is impractical for it to handle express shipments weighing in excess of one hundred (100) pounds each on its passenger vehicles and that the volume of express

shipments weighing in excess of one hundred (100) pounds each does not justify the continuance of such service.

Applicant is providing service as a passenger stage corporation by virtue of the authority as set forth in the Commission's Decision No. 29660, dated April 5, 1937, on Application No. 20948, under which service is provided between Los Angeles, San Bernardino, Santa Ana, Long Beach, and other points in California.

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

Therefore, good cause appearing,

IT IS ORDERED that Decision No. 29660, dated April 5, 1937, is hereby amended by adding thereto, at sheet 16, next preceeding the last ordering paragraph of said decision, the following restriction:

"13. In the transportation of express no shipment weighing in excess of one hundred (100) pounds shall be transported and all express shipments shall be transported on passenger vehicles only."

IT IS FURTHER ORDERED as follows:

Within thirty (30) days from the effective date hereof 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 Los Angeles, California, this 27th day of March, 1939.

Paul J. Wabnitz
Walter R. Decker
W. H. Decker
Justice J. Cassen
COMMISSIONERS