

Decision No. 32123

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
RAILWAY EXPRESS AGENCY, INC., of )  
CALIFORNIA, a corporation, to suspend )  
its operative right between Lodi and )  
Valley Spring, California. )

Second Supplemental  
Application No. 22031

**ORIGINAL**

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

The Commission has heretofore by Decision No. 31077, dated June 30, 1938, authorized Railway Express Agency, Incorporated of California, to temporarily suspend its highway common carrier service between Lodi and Valley Spring, and intermediate points, for a period of six months. Subsequently, by Decision No. 31600, dated December 27, 1938, the period of suspension was extended for an additional period of six months from January 15, 1939, subject to the condition that the applicant should continue arrangements with Stockton - Murphys Freight Line, a certificated common carrier for all handling of applicant's traffic to and from Valley Spring.

In this second supplemental application applicant requests an order of the Commission authorizing a further suspension of its service between Lodi and Valley Springs for an additional period of six months, alleging as justification therefor that the same conditions prevail that were present at the time of the filing of the original amended application (June 22, 1938) to wit: that the revenue returns from the operation were insufficient to continue service for small open express agency (Valley Spring); that while there is still a small volume of business, service to and from Valley Spring is to be continued by a co-ordinated service, Railway Express Agency, Incorporated, to and from Stockton and Stockton - Murphys Freight

Line at the interchange point (Stockton); and that in so far as the shipping public is concerned applicant feels that with the temporary suspension of said service patrons of Railway Express Agency, Incorporated (the Delaware Corporation) for whom applicant now has the exclusive right to transport its express matter, will not be inconvenienced. Shipments to and from Valley Spring will be handled under through rates under express billing.

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

Good cause appearing,

IT IS ORDERED that Railway Express Agency, Incorporated of California, is hereby authorized to continue the temporary suspension of its highway common carrier operations between Lodi and Valley Spring, and intermediate points, to and including December 31, 1939, provided that applicant shall file, within twenty (20) days from the effective date hereof and on not less than one (1) day's notice to the Commission and the public, a tariff and a time schedule reflecting the authority herein conferred, and provided, further, that there shall be maintained in effect during such period of suspension a contract arrangement provided for in the Commission's Decision No. 31600.

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

Dated at San Francisco, California, this 27<sup>th</sup> day of June, 1939.

Robert H. [unclear]  
Joseph R. [unclear]  
Ray L. [unclear]  
[unclear]  
Justus J. [unclear]  
COMMISSIONERS