

Decision No. 32150

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CHARLES A. HAND, doing business as)
KERNVILLE STAGE COMPANY, to discontinue)
operation as a common carrier for the)
transportation of Live Stock between)
Bakersfield and Kernville, California)
and intermediate points.)

ORIGINAL

Application No. 22835

BY THE COMMISSION:

O P I N I O N

In this application Charles A. Hand, doing business as Kernville Stage Company, requests authority to abandon the transportation of livestock between Bakersfield and Kernville and intermediate points and for a revocation of the operative right therefor.

The right involved was created by Decision No. 17888, dated January 12, 1927, which authorized Charles A. Hand and W. A. Fugitt to operate a service for the transportation of passengers, baggage and property between Bakersfield and Kernville, and by Decision No. 22816, dated August 23, 1930, which authorized Hand and Fugitt to establish a like service between Onyx and Isabella and intermediate points as an extension and enlargement of their right between Bakersfield and Kernville and intermediate points. Subsequently, by Decision No. 22942, dated September 2, 1930, Charles A. Hand, applicant herein, acquired sole ownership of the aforesaid right.

As justification for the authority sought, applicant alleges that in order to comply with the Commission's decision which prescribes rates, rules and regulations covering the transportation of livestock it would be necessary for applicant to amend

his tariffs which would entail a considerable expense; that applicant has not in the past transported livestock nor had any request therefor and is not now in a position to transport livestock because of a lack of suitable equipment; that the transportation of livestock is a specialized service which requires special equipment together with a thorough knowledge of the handling of such traffic; and that any tariff amendments which applicant is now required to make to conform to Commission rate orders governing the transportation of livestock would merely result in a useless and unwarranted expenditure of applicant's funds thereby increasing applicant's cost of operations on traffic normally handled and placing an undue burden on such traffic.

This is not a matter requiring a public hearing and we are of the opinion that the request is in the public interest and it will accordingly be granted.

O R D E R

Good cause appearing,

IT IS ORDERED that Charles A. Hand is hereby authorized to discontinue the transportation of livestock between Bakersfield and Kernville and intermediate points and between Isabella and Onyx and intermediate points, and

IT IS FURTHER ORDERED that the operative right for the transportation of livestock between said points heretofore created by Decisions Nos. 17868, dated January 12, 1927, 22816, dated August 28, 1930, and 22842, dated September 8, 1930, is hereby revoked and annulled.

This order is subject to the following condition:

Applicant shall publish and file in its tariff within thirty (30) days from the effective date hereof and on not less than ten (10) days' notice to the Commission and the public, a cancellation of the rates for the service herein authorized to be discontinued and abandoned.

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

Dated at San Francisco, California, this 11th day of July, 1939.

Raymond
Frank
W. Kelly
W. H. H.
Justus F. Coe
COMMISSIONERS