

Decision No. 22929.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Dyson Shipping Company, Inc., for authorization of adjustment of Operative Rights in connection with applicant's Local Express Tariffs No. 2, C.R.C. No. 2 and No. 1, C.R.C. No. 1

ORIGINAL

Application No. 22929

BY THE COMMISSION:

OPINION AND ORDER

By this application, Dyson Shipping Company, Inc., a freight forwarder engaged in shipping canned goods and related articles in carload quantities from San Francisco to San Pedro, Long Beach and Los Angeles, and from San Pedro to San Francisco, over lines of common carriers by vessel, seeks (1) amendment of its operative rights to permit operation from and to Wilmington, in lieu of San Pedro, and (2) authority to suspend service from San Francisco to Wilmington, Long Beach and Los Angeles for a period of one year.

In support of its request to transfer its terminal facilities from San Pedro to Wilmington, applicant alleges that both points are located within the corporate limits of Los Angeles; that San Pedro is not now being served by common carriers by vessel; that the proposed change of location will not result in inconvenience or increased transportation costs to its shippers; and that interested shippers have been informed of the proposed change of terminals and offered no objections.

<sup>1</sup> Applicant's rights were acquired by virtue of operations prior to August 1, 1933, the date after which certificates of public convenience and necessity were required to begin or extend operations as freight forwarders. (See Decision No. 27593, of December 17, 1934, in Case No. 3724, 39 C.R.C. 242).

In support of its request to suspend service from San Francisco to Wilmington, Long Beach and Los Angeles, applicant alleges that there is at the present time but one weekly sailing from and to these points, and that, consequently, no shipments are being tendered for southbound transportation. Applicant anticipates, however, that the establishment of minimum rates for all highway and common carriers by Decision No. 31606, as amended, in Case No. 4246, which minimum rates became effective August 7, 1939, may reasonably be expected to stabilize transportation conditions in the future with a resultant increase in the number of vessel schedules between San Francisco and Los Angeles-Long Beach Harbors.

These do not appear to be matters which require a public hearing. The proposed transfer of its terminal from San Pedro to Wilmington, both of which points are embraced within the corporate limits of Los Angeles, appears to be necessary if applicant is to continue to serve the public. The circumstances set forth indicate, moreover, that the proposed temporary suspension of service is justified. The application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Dyson Shipping Company, Inc., be and it is hereby authorized to transfer its terminal from San Pedro to Wilmington.

IT IS HEREBY FURTHER ORDERED that Dyson Shipping Company, Inc. be and it is hereby authorized to suspend freight forwarding operations covered by its Local Express Tariff No. 1, C.R.C. No. 1, and as changed and amended by the order herein, for a period of one (1) year from the effective date of this order, unless otherwise ordered by the Commission.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall be conditioned upon the exercise thereof by Dyson Shipping Company, Inc. within sixty (60) days from the effective date of this order, and the filing, within that time, on not less than ten (10) days' notice to the Commission and to the public, of appropriate supplements to its tariffs on file with the Commission.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of September, 1939.

Robert H. Brown  
Frank R. Brown  
W. H. Riley  
W. H. Riley  
Justus F. Casner  
Commissioners.