

Decision No. 32334

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
FRANK DAVIES d/b/a CITIZENS AUTO STAGE  
LINE for authority to abandon the  
transportation of passengers and pro-  
perty between Nevada City and Forest  
for a revocation of the operative  
right therefor.

ORIGINAL

Application No. 22966

BY THE COMMISSION:

O P I N I O N

In this application Frank Davies, doing business as Citizens Auto Stage Company, requests an order of the Commission authorizing him to discontinue and abandon the transportation of passengers and property between Nevada City and Forest and for a revocation of any operative right therefor.

The applicant alleges that the operative right is a prescriptive right created by virtue of operations by applicant for a considerable time prior to, on, and ever since May 1, 1917.

As justification for the authority sought applicant alleges that the revenue from the business during the last three months of the year 1938 amounted to \$161.49, and that the operating expenses were much in excess of said revenues. Applicant further alleges that by reason of his lack of sufficient revenue he is unable to continue the operation. The territory between Nevada City and Forest will not be deprived of the services of an auto-motive common carrier upon the abandonment of service by applicant  
(1)  
Davies.

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(1) The Commission by its Decision No. 32315, dated September 12, 1939, on Application No. 22862, granted a certificate to Sam Bedwell authorizing the transportation of passengers and property between Nevada City and Forest and intermediate points.

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

O R D E R

Good cause appearing,

IT IS ORDERED that Frank Davies, doing business as Citizens Auto Stage Company, is hereby authorized to discontinue and abandon the transportation of passengers and property between Nevada City and Forest and any operative right therefor is hereby revoked and annulled.

IT IS FURTHER ORDERED that all tariffs and time schedules now on file, and in effect, with the Railroad Commission, in the name of Frank Davies are hereby cancelled.

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

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

Raymond W. ...  
Frank ...  
Ray ...  
...  
Justin J. ...  
COMMISSIONERS