

Decision N o. 32366

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
PIERCE ARROW STAGES, INC., for an)	
order amending its certificate of)	App lication No. 22983
public convenience and necessity to)	
limit transportation of express matter)	
to shipments of 100 pounds or less.)	

BY THE COMMISSION:

O P I N I O N

In this application Pierce Arrow Stages, Inc., a corporation, requests authority to discontinue and abandon the transportation of property for shipments weighing in excess of one hundred pounds between Sacramento and points on the California-Nevada State Line, east of Brockway and east of Lakeside and intermediate points, via Placerville, and for a revocation of the operative rights therefor.

The rights involved were acquired by applicant under the authority of the Commission's Decision No. 32017, dated May 23, 1939, on Application No. 22698, and more particularly described and created in Decision No. 7795, dated June 24, 1920; Decision No. 6363, dated June 3, 1919; Decision No. 15059, dated June 15, 1925 (Decision No. 15059 consolidated and unified all of the rights then held by A. L. Richardson, one of the predecessors in interest of the applicant herein, and granted certain additional rights); and Decision No. 30092, dated September 7, 1937.

The right created by Decision No. 7795 authorized a package limit of one hundred pounds each on express shipments between

Sacramento and Placerville. The right created by Decision No. 6363 authorized the transportation of property between Sacramento and Placerville without limit. The right created by Decision No. 15059 authorized the transportation of so-called express between Sacramento and Lake Tahoe points, subject to the restriction that no single package shall exceed thirty pounds in weight, excepting only shipments of automobile parts which may not exceed one hundred pounds in weight. Decision No. 30092 authorized the extension of passenger, baggage and express service between Brockway and California-Nevada State Line and between Lakeside and California-Nevada State Line. No restriction was imposed upon the transportation of express.

As justification for the authority sought applicant alleges as follows:

That its principal business is a passenger stage corporation engaged in the transportation of passengers and their baggage.

That the transportation of so-called express matter is but incidental to the principal business of passenger transportation.

That in conducting such transportation applicant's equipment has been and is designed and constructed primarily for the convenience and comfort of passengers.

That since, under applicant's certificate of public convenience and necessity, so-called express matter must be carried in the same vehicle in which passengers are transported with their baggage, applicant, as a consequence, is not equipped for the transportation of unlimited shipments of so-called express matter.

That in order to comply with the various rate orders of the Commission concerning rates, rules and regulations

for the transportation of property, the publication of tariffs governing such transportation constitutes an excessive financial burden upon applicant and one not warranted by the volume and amount of its express business.

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

O R D E R

Good cause appearing,

IT IS ORDERED that Pierce Arrow Stages, Inc., a corporation, is hereby authorized to discontinue and abandon the transportation of property for shipments weighing in excess of thirty (30) pounds, excepting only shipments of automobile parts which shall not exceed one hundred (100) pounds in weight, provided that all such shipments shall be transported on passenger carrying vehicles only, between Sacramento and points on the California-Nevada State Line, east of Brockway and east of Lakeside and intermediate points, via Placerville, and the operative rights therefor, heretofore created by Decision No. 7795, dated June 24, 1920; Decision No. 6363, dated June 3, 1919; Decision No. 15059, dated June 15, 1925; and Decision No. 30092, dated September 7, 1937, are hereby revoked and annulled.

This order is subject to the following condition:

Applicant shall publish and file in his 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 Los Angeles, California, this 26th day of September, 1939.

Railroad
Ray L. Rice
M. H. Kelly
Justin J. Calmes
COMMISSIONERS