

Decision No. 22985

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of )  
PACIFIC SOUTHLAND STAGES, INCORPORATED )  
for an order amending its certificate )  
of public convenience and necessity to )  
limit transportation of express matter )  
to shipments of 100 pounds or less. )

Application No. 22985

BY THE COMMISSION:

O P I N I O N

In this application Pacific Southland Stages, Incorporated, requests authority to abandon the transportation of shipments of property weighing in excess of one hundred pounds between San Diego and San Ysidro (Mexican Border) and intermediate points, and for a revocation of the operative right therefor.

The right involved was created by operation by F. A. Sutherland (predecessor in interest of applicant) prior to May 1, 1917, as modified or supplemented by Decision No. 20697, dated January 21, 1929, on Application No. 15222; Decision No. 21844, dated November 30, 1929, on Application No. 15993; and Decision No. 23455, dated March 2, 1931, on Application No. 17018 and authorized the transportation of passengers and their baggage, and so-called express, between San Diego and San Ysidro (Mexican Border) and intermediate points with a restriction that no package weighing in excess of one hundred pounds should be transported. The transportation of express is limited to passenger carrying vehicles.

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 the tender of shipments of property in excess of one hundred pounds to applicant is casual and infrequent.

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 Pacific Southland Stages, Incorporated, a corporation, is hereby authorized to discontinue and abandon the transportation of shipments of property weighing in excess of one

hundred (100) pounds between San Diego and San Ysidro (Mexican Border) and intermediate points, and the operative rights therefor heretofore created by Decision No. 20697, dated January 21, 1929, Decision No. 21844, dated November 30, 1929, and Decision No. 23455, dated March 2, 1931, are 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 Los Angeles, California, this 26<sup>th</sup> day of September, 1939.

Ray W. Baker  
Ray W. Baker  
H. Baker  
Justin J. Casper  
COMMISSIONERS