

Decision No. 82403

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

JOHN SMALLEY, d/b/a The AMADOR STAGE
LINES, requests permission to abandon
transportation of shipments weighing
in excess of 100 pounds.

)
) **ORIGINAL**
) Application No. 23007
)

BY THE COMMISSION:

O P I N I O N

In this application John Smalley, doing business as Amador Stage Lines, requests authority to abandon the transportation of shipments of property weighing in excess of one hundred pounds between Jackson and Stockton and intermediate points and between Jackson and Sacramento and San Andreas and intermediate points, and for a revocation of the operative right therefor.

The right involved was created by the Commission's Decision No. 7795, on Application No. 5162, Decision No. 24926, dated June 27, 1932, on Application No. 18207, as modified by Decision No. 25146, dated September 6, 1932, on Application No. 18285, and Decision No. 25287, dated October 24, 1932, on Application No. 18446. Such rights, in general, authorized the transportation of passengers and packages weighing not in excess of one hundred pounds between Stockton, Lockford, Jackson, San Andreas, Sacramento, and intermediate points.

As justification for the authority sought applicant alleges substantially as follows:

- (a) The service that applicant provides for the transportation of property is incidental to and in connection with the transportation of passengers and such operations consist almost entirely of the handling of small shipments on frequent schedules more or less as an accommodation service.

- (b) Applicants records for the period January 1, 1939 to August 31, 1939, show that only thirty-seven shipments weighing in excess of one hundred pounds were transported on the Jackson-Stockton Division.
- (c) The revenue derived from the transportation of property barely warrants the expense of maintaining a service and any substantial additional tariff expense, incidental to such operation, would result in an actual loss and would place an undue burden upon his business of transporting passengers.
- (d) The authorization to abandon the transportation of shipments of property weighing in excess of one hundred pounds will relieve applicant of the necessity and expense of filing amended tariffs and classifications in compliance with the various rate orders of the Commission as applied to such shipments.

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This is/a matter requiring a public hearing and we are of the opinion that the request is in the public interest and therefore it will be granted.

O R D E R

Good cause appearing,

IT IS ORDERED that John Smalley, doing business as the Amador Stage Lines, is hereby authorized to discontinue the transportation of shipments of property weighing in excess of one hundred (100) pounds, between Stockton, Lockford, Jackson, San Andreas, Sacramento, and intermediate points, and the operative rights therefor, heretofore created by Decision No. 7795, Decision No. 24928, dated June 27, 1932, Decision No. 25146, dated September 6, 1932, and Decision No. 25287, dated October 24, 1932, are hereby revoked and annulled.

This order is subject to the following conditions:

1. Applicant shall publish and file in his tariff, within thirty (30) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public, a cancellation of the rates for the service herein authorized to be discontinued and abandoned.

2. Applicant shall transport no shipments of property weighing in excess of one hundred (100) pounds and no shipments may be transported except on passenger carrying vehicles.

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

Dated at San Francisco, California, this 3rd day of October, 1939.

Raymond W. ...
Donald ...
Ray H. Rice
M. Baker
Justus J. Casner
COMMISSIONERS