

Decision No. 30406

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CARL C. ALLEN, d/b/a ANCHOR STAGES,
for an order amending its certificate
of public convenience and necessity to
limit transportation of express matter
to shipments of 100 pounds or less.

ORIGINAL
Application No. 22997

BY THE COMMISSION:

O P I N I O N

In this application Carl C. Allen, doing business as Anchor Stages, requests authority to abandon the transportation of shipments of property weighing in excess of one hundred pounds between Fresno and Sanger and intermediate points.

The right involved was created by Decision No. 19737, dated May 9, 1928, on Application No. 14414, under which a certificate was granted to C. C. Allen and J. M. Reese for the transportation of so-called express limited to one hundred pounds per package, between Fresno and Sanger and intermediate points. Applicant herein was authorized by the Commission's Decision No. 30355 to acquire sole ownership of the right created by Decision No. 19737.

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

Applicant's principal business as a passenger stage corporation is the transportation of passengers and their baggage. The transportation of so-called express matter is merely incidental to the principal business of the transportation of passengers. In providing such transportation service the equipment used by applicant has been, and

is, designed and constructed primarily for the convenience and comfort of passengers. Inasmuch as the property now transported by applicant must be carried in the same vehicle as that in which passengers are transported, with their baggage, it is not feasible to transport unlimited shipments of so-called express matter. The request for the transportation of shipments of property in excess of one hundred pounds is casual and infrequent.

In order to comply with the provisions of the rate orders of the Commission concerning rates, rules and regulations for the transportation of property, together with a publication of tariffs, would constitute an excessive financial burden upon applicant and one not warranted by the volume of applicant's 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, therefore, it will be granted.

O R D E R

Good cause appearing,

IT IS ORDERED that Carl C. Allen, doing business as Anchor Stages, is hereby authorized to discontinue and abandon the transportation of shipments of property weighing in excess of one hundred pounds, between Fresno and Sanger and intermediate points, and the operative right therefor, heretofore created by Decision No. 19737, dated May 9, 1928, and Decision No. 30355, is hereby revoked and annulled.

This order is subject to the following condition:

Applicant shall publish and file in his tariff, within sixty (60) 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.

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

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

Robert A. Hubert
Frank L. Miller
Ray J. Cline
H. H. Miller
Justin J. Coe
COMMISSIONERS