

Decision No. 22984

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of PASADENA-OCEAN PARK STAGE LINE, INC., for permission to abandon the transportation of express for shipments in excess of 100 pounds between Los Angeles or Pasadena and Mount Wilson and intermediate points, and between Pasadena and Hollywood, Ocean Park and intermediate points.

ORIGINAL

Application No. 22984

BY THE COMMISSION:

O P I N I O N

In this application Pasadena-Ocean Park Stage Line, Inc.,<sup>(1)</sup> a corporation, requests authority to abandon the transportation of shipments of so-called express weighing in excess of 100 pounds, which are transported on passenger carrying vehicles, and for a revocation of the operative rights therefor.

The operative rights involved are those created by Decision No. 17544, dated October 29, 1926, as modified by Decision No. 27838, dated March 25, 1935, both on Application No. 13174. Under such rights applicant is authorized to provide an automotive service for the transportation of passengers, baggage and so-called express,

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(1) By Decision No. 32331, dated September 19, 1939, on Application No. 22808, the Commission authorized the merging of the corporations Pasadena-Ocean Park Stage Line, Inc. and Original Stage Line, Inc. Under the terms of the merger agreement, Original Stage Line, Inc. will be the surviving corporation, the name of which was changed to Asbury Rapid Transit System, as evidenced by an amendment to the Articles of Incorporation of Original Stage Line, Inc. The authority herein conferred, therefore, will be granted to Asbury Rapid Transit System.

between Los Angeles, Pasadena and Mount Wilson, and freight between Pasadena and Mount Wilson. The authority requested does not involve the right for the transportation of property between Pasadena and Mount Wilson, which is unrestricted as to weight of packages or shipments or vehicles.

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

(a) Applicant's express operations are conducted incidental to and in connection with its passenger stage service and such operations consist almost entirely of the handling of small shipments on frequent schedules more or less as an accommodation service, also, applicant's express operations are not conducted over all of its lines.

(b) Applicant's express service on its Mount Wilson Division is restricted to "packages" not exceeding 100 pounds in weight and all of applicant's express rates and charges are restricted to apply from or to the Company's terminals or regular stopping points, no pickup or delivery service is rendered.

(c) A check of applicant's records covering express shipments on all lines, during the period from August 1, 1938 to August 31, 1939, shows that only one shipment weighing over 100 pounds was handled during such period.

(d) The revenue derived from express operations does not warrant the expense of maintaining the service and any substantial tariff expense connected with such express operation would result in an actual loss of net revenue and would place an undue burden upon its passenger stage operations.

(e) The granting to applicant of permission to abandon the transportation of express shipments in excess of 100 pounds, will relieve it of the necessity and expense of filing amended tariffs and classifications in compliance with various rate orders of the Commission.

(f) Applicant's express operations are exempt from the application of rates, rules and regulations for the transportation of shipments weighing 100 pounds or less, as prescribed in and by the order in Decision No. 31606, Case No. 4246, as amended.

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.

#### ORDER

IT IS ORDERED that Asbury Rapid Transit System is hereby authorized to discontinue the transportation of shipments of express weighing in excess of one hundred (100) pounds, on its passenger carrying vehicles and the operative right therefor, heretofore created by Decision No. 17544 and Decision No. 27838, is hereby revoked and annulled.

This order is subject to the following condition:

1. Applicant shall publish and file in its tariff, within sixty (60) days from the effective date hereof, or 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 W. ...  
Frank ...  
Ray ...  
...  
James J. ...  
COMMISSIONERS