

Decision No. 23012

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
M. C. YAENE, INC., doing business under
the name and style of Inland Stages,
for an order amending its certificates
of public convenience and necessity to
limit transportation of express matter
to shipments of 100 lbs. or less.

ORIGINAL

Application No. 23012

BY THE COMMISSION:

O P I N I O N

In this application M. C. Yahne, Inc., a corporation, doing business as Inland Stages, requests authority to abandon the transportation of shipments of express weighing in excess of one hundred pounds and for a revocation of the operative right therefor.

The operative right involved was acquired by applicant under the authority of the Commission as follows:

Dec. No. 26050,	dated June 12, 1933,	on Appl. No. 18812,
" " 26557,	" Nov. 25, 1933,	" " " 18992,
" " 26568,	" Nov. 25, 1933,	" " " 19173,
" " 26660,	" Dec. 13, 1933,	" " " 19220,
" " 27767,	" Feb. 25, 1935,	" " " 19664,
" " 30373,	" Dec. 6, 1937,	"Sup.Ap." 18992,

as more particularly described therein. Said operative right, in general, authorizes the transportation of passengers, baggage and express packages weighing not in excess of one hundred pounds each, between Los Angeles and the California-Nevada State Line near Coleville, California, and intermediate points via Saugus, Mojave and

Bishop; between San Bernardino and San Diego and intermediate points, via Riverside and Elsinore; between Los Angeles and Anaheim; and between Anaheim and Elsinore. Said operative right is also subject to certain local restrictions.

Between Bishop and Laws, and between Lone Pine and Lone Pine Railroad Station, no restrictions are in force as to the weight of packages or vehicle of transportation. The order herein, however, will impose a restriction thereon both as to the weight of shipments and vehicle of transportation.

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

Applicant's principal business is that of a passenger stage corporation engaged in the transportation of passengers and their baggage. The transportation of express matter by applicant is incidental to the principal business of passenger transportation.

The equipment used by applicant has been, and is, designed and constructed for the convenience and comfort of passengers. Except between Bishop and Laws and between Lone Pine and Lone Pine Railroad Station all express matter carried by applicant pursuant to its operative right must be carried in the same vehicle in which passengers are transported with their baggage. Therefore, applicant is not equipped for the transportation of unlimited shipments of express matter. Further, the tender of shipments of express in excess of one hundred pounds to applicant is occasional 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 the request appearing to be in the public interest will be granted.

O R D E R

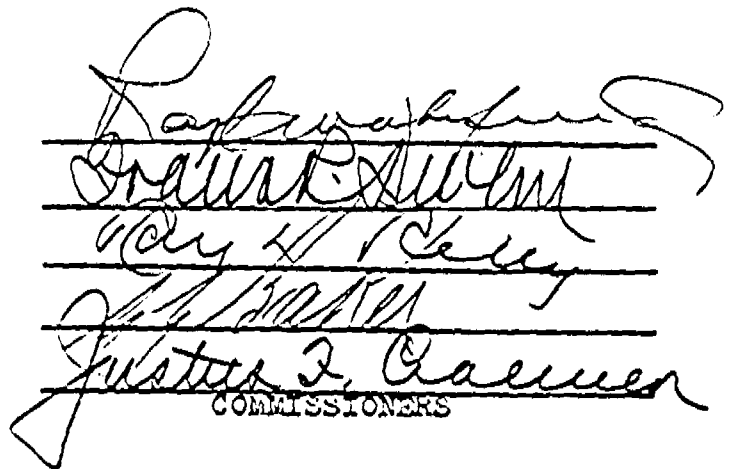
IT IS ORDERED that M. C. Yahne, Inc., a corporation, doing business as Inland Stages, is hereby authorized to discontinue the transportation of shipments of express and/or property weighing in excess of one hundred pounds, between all the points referred to in the foregoing opinion, and the operative right therefor 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 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. In the transportation of express and/or property no shipment weighing in excess of one hundred (100) pounds shall be accepted for transportation and all such shipments shall be transported on passenger carrying vehicles only.

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

Dated at San Francisco, California, this 12th day of October, 1939.



Justice J. Casner
COMMISSIONERS