

Decision No. 223355

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application)
of GUSTAF OLSSON for an order de-) Application No. 22302
claring and confirming operative)
rights.)

In the Matter of the Application)
of GUSTAF OLSSON to discontinue) Application No. 23355
service as public utility and)
cancellation of rates.)

BY THE COMMISSION:

Appearances in Application No. 22302

- Gwyn H. Baker, for applicant.
- A. L. Whittle, for Southern Pacific Company and
Northwestern Pacific Railroad Company, as
their interests may appear.
- McCutchen, Olney, Mannon & Greene, by F. W. Mielke,
for The River Lines.
- H. S. Graham, for Petaluma and Santa Rosa Railroad
Company, as its interest may appear.
- W. O. Wright, for Delta Tug Company.

OPINION AND ORDER

In Application No. 22302, Gustaf Olsson, an individual operating on the inland waters of the State as a common carrier of property by vessel, sought an order defining the scope of his operative rights. A public hearing in that matter was had at Petaluma before Examiner Mulgrew. Thereafter Olsson died and Application No.

¹ By Decision No. 29778 of May 24, 1937, in Case No. 3824 (40 C.R.C. 493), Olsson was found to possess, as of January 16, 1936, the right to operate an "on call" service as a common carrier of property by vessel with the craft "Mathilda," limited to the transportation of hay and straw in lots of 100,000 pounds or more, and grain in lots of 80,000 pounds or more from landings located on the Sacramento and San Joaquin Rivers and their tributaries above B. B. Landing, west of Collinsville, but below Sacramento and below Strechers, west of Stockton to Port Costa, Petaluma and San Francisco, and lumber from San Francisco to Petaluma and specified points on the Sacramento and San Joaquin Rivers and their tributaries in lots of 20,000 pounds or more. Subsequently, Olsson filed Application No. 22302, requesting an opportunity to substantiate his claim to additional operative rights.

23355 was filed by the administratrix of his estate, seeking authority to discontinue common carrier operations. It was alleged that the craft "Mathilda," the only vessel Olsson was authorized to operate, had been sold and that his estate did not desire to continue common carrier vessel service.

The matter involved in Application No. 23355 does not appear to be one in which a public hearing is necessary. Other carriers maintain service between the points involved herein and the revocation of applicant's operative rights will not deprive the public of means of transportation. Application No. 23355 will be granted and Application No. 22302 will be dismissed.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that all operative rights as a common carrier by vessel possessed by Gustaf Olsson, his administratrix or his estate, be and they are hereby revoked and that all tariffs filed by Gustaf Olsson be and they are hereby cancelled.

IT IS HEREBY FURTHER ORDERED that Application No. 22302 be and it is hereby dismissed.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at Los Angeles, California, this 26th day of March, 1940.

Raymond J. Baker
Raymond J. Baker
Raymond J. Baker
Raymond J. Baker
Commissioners