

Decision No. 32295

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
INTERSTATE TRANSIT LINES for an order)
amending its certificate of public) Application No. 23625
convenience and necessity to limit)
transportation of express matter to)
shipments of 100 pounds or less.)

BY THE COMMISSION:

OPINION AND ORDER

ORIGINAL

Under authority of the Commission's Decision No. 32295, on Application No. 22953, Interstate Transit Lines, a Nebraska corporation, was authorized to acquire all the passenger stage operative rights of Union Pacific Stages of California, a California corporation. Some of the operative rights so acquired by Interstate Transit Lines authorized the transportation of passengers only while others authorized the transportation of passengers and of property incidental to the transportation of passengers.

In this application Interstate Transit Lines requests an order of the Commission amending all its presently held certificates of public convenience and necessity so that the right to transport property is subject to the restriction that no single shipment that weighs in excess of one hundred pounds may be accepted for transportation.

As justification for the authority sought, applicant alleges, in effect, that its principal business is the transportation of passengers and that the transportation of express is incidental to the principal business of passenger transportation. That in conducting such transportation its equipment has been, and is, designed and constructed primarily for the convenience and comfort of its passengers; that under its present operative rights express shipments must be carried in the same vehicle in which passengers

are transported; and that applicant, as a consequence, is not equipped for the transportation of unlimited shipments of express. Applicant further avers that the tender of shipments of express in excess of one hundred pounds is casual and infrequent.

This is not a matter in which a public hearing is necessary and the request appearing to be reasonable will be granted.

IT IS ORDERED that Interstate Transit Lines, a corporation, is hereby authorized to discontinue and abandon passenger stage service for the transportation of shipments of express weighing in excess of one hundred pounds each and the operative rights therefor, heretofore created by the Commission's Decision No. 20676, on Application No. 14682, Decision No. 28606, on Application No. 19448, and Decision No. 28780, on Application No. 20507, or any amendments thereof, and acquired by said Interstate Transit Lines by virtue of Decision No. 32295, are hereby revoked and annulled; provided, that applicant shall, within forty (40) days from the effective date hereof and on not less than ten (10) days' notice to the Railroad Commission and the public, publish and file with the Commission, in triplicate, a tariff or tariffs reflecting the authority herein granted.

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

Dated at San Francisco, California, this 8th day of October, 1940.

Ray L. Kelly
Frank W. Quinn
Raymond A. ...
H. Baker
Justin F. Quamen
COMMISSIONERS