

ORIGINAL

Decision No. 34703

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Santa Fe Transportation Company for an order amending its certificate of public convenience and necessity limiting transportation of express matter to shipments of 100 pounds or less.

Application No. 24502

BY THE COMMISSION:

O P I N I O N

Among its various automotive operations applicant Santa Fe Transportation Company, a corporation, is providing a passenger stage service between Los Angeles and a point on the California-Arizona State Line opposite Topock, Arizona, via San Bernardino and Needles under authority of an operative right created by Decision No. 28606, dated March 2, 1936, on Application No. 19485, subject to the restriction, among others,

"That the certificate herein granted shall be limited, in the transportation of property, to the passenger vehicles used in said interstate service and that no package shall be transported whose weight exceeds 100 pounds, when such package is transported between points in California, whether consigned under grantee's own rates or as an underlying carrier of an express corporation."

In the above-entitled application, said applicant requests that the foregoing restriction be modified to provide that no shipment of property that weighs in excess of one hundred pounds shall be accepted and transported.

As justification for the authority sought, applicant alleges, in substance, that its principal business under the authority of Decision No. 28606 is the transportation of pas-

sengers and their baggage; that all vehicles operated in said service are designed primarily for the convenience and comfort of passengers; that such vehicles, therefore, are not equipped to transport an unlimited number of shipments of express and that such shipments which it does handle generally are small and those being in excess of one hundred pounds are occasional and infrequent.

Applicant further avers that by Decision No. 34540 it was granted exemption from the requirements of Decision No. 31606, as amended, both in Case No. 4246, in connection with the transportation of shipments weighing not to exceed one hundred pounds.

In our judgment, the authority requested is in the public interest and will accordingly be granted. No public hearing appears to be necessary.

O R D E R

Application having been made as above-entitled, and the Commission being fully advised therein:

IT IS ORDERED that Sante Fe Transportation Company, a corporation, is hereby authorized to discontinue the transportation of shipments of property weighing in excess of one hundred (100) pounds, as authorized by Decision No. 28606, and that in lieu of the limitation placed upon such shipments by said Decision No. 28606, the following shall apply:

No shipment of property weighing in excess of one hundred (100) pounds may be transported and all such shipments shall be transported on passenger vehicles only.

The foregoing authority is subject to the condition that:

Santa Fe Transportation Company shall amend its tariffs within a period not to exceed sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public, pursuant to General Order No. 80, to give effect to the authority herein conferred.

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

Dated at Los Angeles, California, this 28<sup>th</sup> day of October, 1941.

[Signature]  
[Signature]  
Justin J. Caswell  
Francis X. Havens  
[Signature]  
 COMMISSIONERS