

Decision No. 35390

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Red Line Parcel Service to )  
charge less than established min- )  
imum rates. )

Application No. 23342

BY THE COMMISSION:

ORIGINAL

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 33185, in this proceeding, C. J. Nagle, an individual doing business as Red Line Parcel Service, was granted temporary authority to transport shipments weighing 25 pounds or less from certain retail stores in San Jose to designated territory in Santa Clara County at rates less than the established minimum rates. It is alleged that, under the misapprehension that the authority granted by that decision would be extended by the Commission without application being made therefor, Nagle failed to apply for an extension of the authority prior to its expiration. It is further alleged that the operations in question have not been changed since the issuance of the aforesaid decision and that reinstatement of the authority is necessary for the same reasons as those originally advanced.

It appears that this is a matter in which a public hearing is not necessary and that the sought reinstatement is justified. This authority will be limited, however, to a one-year period, unless sooner canceled, changed or further extended, due to the possibility that during that time changed conditions may require that different action be taken.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that C. J. Nagel, an individual doing business as The Red Line Parcel Service, be and he is hereby authorized to transport property in shipments weighing 25 pounds or less from the retail stores in San Jose named in Appendix "A" of Decision No. 33185 of June 11, 1940, in this proceeding, to points in Santa Clara County within the territory described in Appendix "B" of said Decision No. 33185, at rates less than the established minimum rates but not less than those set forth in said Appendix "B".

The authority herein granted shall expire one (1) year from the date hereof unless sooner canceled, changed or extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of  
.....  
May, 1942.

Justus J. Callahan  
Ray & Ricey

Richard H. Hulse

Commissioners