

ORIGINALDecision No. 36342

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 RAILWAY EXPRESS AGENCY, INCORPORATED,)
 for a certificate of public convenience)
 and necessity for the transportation of)
 property by motor truck between Tahoe)
 Wharf and Truckee, as an extension to its) Application
 route between points on Lake Tahoe and) No. 25317
 vicinity, also for the transportation of)
 baggage for the Southern Pacific Company)
 between Truckee and points on Lake Tahoe)
 and vicinity as described herein.)

BY THE COMMISSION:

O P I N I O N

By its application in this proceeding Railway Express Agency, Incorporated, of Delaware, seeks a certificate of public convenience and necessity authorizing operation as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, between Tahoe Wharf and Truckee, a distance of approximately 16 miles, as an extension of its existing operations between Lake Tahoe points. (1)
 The service, which would be conducted seasonally, would be coordinated with the express service provided through the passenger train facilities of Southern Pacific Company, with which applicant would (2)

(1) Under Decision No. 35592, rendered July 14, 1942, in Application No. 24410, the applicant herein was authorized to conduct a highway common carrier service between Lake Tahoe points, auxiliary to and supplemental of the rail express service provided through the facilities of Southern Pacific Company to and from Tahoe Wharf. Under the certificate there granted, applicant was authorized to operate (a) between Tahoe Wharf and Cal-Neva (California-Nevada State Line) and intermediate points, via Brockway; and (b) between Tahoe City and California-Nevada State Line, and intermediate points via Homewood, Chamber's Lodge, Meeks Bay, Emerald Bay, Jameson Beach, Tahoe Valley, Al Tahoe and Bijou.

(2) Applicant proposes to conduct this service between May 20 and September 20, approximately, of each year.

connect at Truckee. Applicant also proposes to carry checked baggage of Southern Pacific passengers, tendered to it by Southern Pacific Company at Truckee, Tahoe Tavern or Tahoe Wharf. To provide the service applicant would employ the equipment currently used in its Lake Tahoe operations, consisting of three 1½-ton trucks.

Due to present conditions, the mixed train service between Truckee and Tahoe Tavern, handling both express and baggage, has been discontinued. The volume of this traffic has been substantial.

Applicant, it appears, is better able to handle this traffic than the other motor carriers now serving this territory. These include Pacific Greyhound Lines, which conducts a passenger stage service between these points, and Pacific Motor Trucking Company, which provides a highway common carrier service auxiliary to the rail operations of Southern Pacific Company, and coordinated with the rail freight schedules. Both of these carriers have consented to the granting of this application.

There appears to be a public need for the establishment of the service, and accordingly the application will be granted. This is not a matter in which a public hearing is required.

O R D E R

Application having been made as above entitled; and the Commission now finding that public convenience and necessity so require,

IT IS ORDERED as follows:

(1) That a certificate of public convenience and necessity be and it hereby is granted to Railway Express Agency, Incorporated (a Delaware corporation), authorizing the establishment and

operation of a service as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, between Truckee and Tahoe Tavern and Tahoe Wharf. Said certificate is granted subject to the following restrictions:

Applicant's service shall be limited as follows:

(a) To the performance of a service which is auxiliary to or supplemental of the rail express service provided by applicant through the rail facilities of Southern Pacific Company;

(b) To the transportation of express shipments which (other than those moving locally between Truckee, Tahoe Tavern, and Tahoe Wharf themselves, and between said last-mentioned points, on the one hand, and points on Lake Tahoe which applicant may be currently authorized to serve, on the other hand), shall receive, in addition to the highway carrier movement by applicant, an immediately prior or subsequent movement by rail transportation facilities;

(c) To the transportation of checked baggage of passengers of Southern Pacific Company between Truckee, on the one hand, and Tahoe Tavern, Tahoe Wharf and other points on Lake Tahoe which applicant is currently authorized to serve, on the other hand.

Said certificate is granted subject to the following condition:

Railway Express Agency, Incorporated, of Delaware, its successors or assigns, may never claim before this Commission or any court or other public body, a value, for any purpose, for the certificate herein granted in excess of the actual cost incurred by it in securing said operative authority.

(2) That in the operation of said highway common carrier service, applicant shall comply with and observe the following service regulations:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicant shall comply with the provisions of General Order No. 80 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission, within sixty (60) days from the effective date hereof and on not less than one (1) day's notice to the Commission and the public.
3. Subject to the authority of this Commission to change or modify them at any time by further order, applicant shall conduct said highway common carrier operations over and along the following routes:

Via State Highway No. 40 from Truckee to Tahoe City "Y"; via State Highway No. 89 from Tahoe City "Y" to Tahoe Tavern; thence to Tahoe Wharf.

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

Dated at San Francisco, California, this 11th day of May, 1943.

Frank D. Avenue
J. P. Baker
Justin D. Calverley
Richard H. Chase
Francis D. Clark
COMMISSIONERS