

Decision No. 36381

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
(1) CLARENCE MARSHALL for certificate)
of public convenience and necessity)
to operate (2) passenger, property)
and baggage service between French)
Gulch, Shasta County, California, and)
Carrville, Trinity County, California.)

ORIGINAL

Application No. 25332
1st Supplemental

BY THE COMMISSION:

O P I N I O N

Applicant herein was granted a certificate of public convenience and necessity authorizing the operation of a passenger stage service for the transportation of passengers, baggage and express between French Gulch and Carrville and intermediate points (Decision No. 36136).

At the time of filing, applicant held a contract for the transportation of the United States Mail between French Gulch and Carrville, making one round-trip daily between those points. It was conceded that the proposed passenger stage service could not be profitably operated except in conjunction with the mail delivery service.

The order in Decision No. 36136 became effective on January 26, 1943. Upon his request, applicant was granted an extension of 90 days within which to file acceptance of the certificate granted in said decision, and to file tariffs and time schedules. At that time he had been advised that the Post Office Department intended to change the termini of his mail route.

In the application now before us it is set forth that

the Post Office Department has issued its order curtailing the service at Trinity Center, approximately four miles south of Carrville. Therefore applicant now desires to operate between French Gulch and Trinity Center providing a daily, except Sunday, service.

In view of this change of mail contract the order in Decision No. 36136 will be amended to conform thereto. A public hearing does not appear to be necessary.

SECOND SUPPLEMENTAL ORDER

IT IS ORDERED that the order in Decision No. 36136, dated January 26, 1943, be rescinded, and that there be substituted in lieu thereof the following order:

ORDER

"IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to Clarence Marshall, authorizing the establishment and operation of a passenger stage service, as that term is defined in section 2 $\frac{1}{2}$ of the Public Utilities Act, for the transportation of passengers, baggage, and shipments of express weighing not to exceed 500 pounds each, on passenger-carrying vehicles only, between French Gulch and Trinity Center and intermediate points.

The foregoing certificate is granted subject to the following condition:

Clarence Marshall, his 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 him in securing said operative authority.

IT IS FURTHER ORDERED that in the operation of said passenger stage service Clarence Marshall shall comply with and observe the following service regulations:

1. 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. Comply with the provisions of General Orders Nos. 79 and 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 five (5) days' notice to the Commission and the public.
3. Clarence Marshall shall conduct said highway common carrier service over and along the most appropriate route or routes subject to the authority of the Railroad Commission to change or modify them at any time by further order."

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

Dated at Los Angeles, California, this 25th day of May, 1943.

Francis C. Havener

Justin I. Coakley
Richard B. Baker
Samuel C. Owen
 COMMISSIONERS