

Decision No. 37070

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of )  
 maximum or minimum, or maximum and )  
 minimum rates, rules and regulations )  
 of all common carriers as defined in )  
 the Public Utilities Act of the State )  
 of California, as amended, and all )  
 highway carriers as defined in Chapter )  
 223, Statutes of 1935, as amended, )  
 for the transportation for compensa- )  
 tion or hire, of any and all commodi- )  
 ties. )

Case No. 4246

**ORIGINAL**

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

Railway Express Agency, Inc. seeks authority to enlarge its pickup and delivery zone at Merced by including therein a designated area contiguous to that city.<sup>1</sup> It proposes to extend Merced rates to the additional territory. The verified petition discloses that service to the area involved was withdrawn and the rates canceled on February 28, 1944 (See Decision No. 36857 of February 8, 1944, in Application No. 25806); that the taking of this action was due to an error of petitioner; that the area is a part of Merced's residential territory; and that petitioner desires to correct its error by reinstating service.

It appears that this is a matter in which a public hearing is not necessary and that the granting of the sought authority is justified. This is not to be construed as a determination of the nature and extent of petitioner's operating authority. Operating rights are not here in issue.

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The boundaries of the area in question are set forth in the express agency's petition.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the petition of Railway Express Agency, Inc., filed May 2, 1944, and seeking authority to enlarge its pickup and delivery zone at Merced be and it is hereby granted; that the aforesaid carrier be and it is hereby authorized to establish, for the transportation involved, rates less than the minimum rates prescribed by Decision No. 31606, as amended, in this proceeding, but not less than those prescribed for like transportation from and to Merced; and that tariffs filed pursuant to this order may be made effective upon not less than three (3) days' notice to the Commission and the public.

This order shall become effective upon the date hereof.

Dated at San Francisco, California, this 23<sup>rd</sup> day of  
May, 1944.

Richard L. Haskins  
Justus D. Cassese  
Francis L. Havenner  
Harold Russell  
 Commissioners