

Decision No. 37382

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
 A. MEYERS, doing business as WESTERN)
 TRANSPORTATION COMPANY, for a certifi-)
 cate of public convenience and necessity) Application No. 23996
 authorizing service as a common carrier) First Supplemental
 of property by motor vehicle in pickup)
 and delivery service for Union Pacific)
 Railroad Company between Los Angeles and)
 the adjacent territory.)

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION

By his first supplemental application in this proceeding, applicant A. Meyers, doing business as Western Transportation Company, seeks the revocation of the certificate of public convenience and necessity granted by Decision No. 34357, rendered herein July 1, 1941. The purpose for which the certificate was issued, applicant alleges, no longer exists.

By Decision No. 34357, Meyers was authorized to operate a highway common carrier service, limited to the transportation of freight receiving either a prior or a subsequent rail movement through the facilities of Union Pacific Railroad Company. This service could be conducted only between the Union Pacific freight station at Eighth and Alameda Streets, Los Angeles, and an area including Huntington Park, Vernon, Maywood, Bell, South Gate, Florence, East Los Angeles, Walnut Park, City Terrace and specified contiguous unincorporated territory in Los Angeles County. Under this certificate, applicant provided a pickup and delivery service, within the territory described, for the Union Pacific under a joint rate arrangement between them.

In his supplemental application, applicant alleges that, following the issuance of this certificate, he undertook to furnish a pickup and delivery service for the Union Pacific within the territory described. The performance of this service, it is stated, was dependent upon continuous mutual arrangements between applicant and the railroad. All such arrangements, applicant states, have been terminated; he now performs no pickup and delivery or line-haul service for the Union Pacific, nor has he any intention of resuming the service. Since the purpose for which the certificate was issued assertedly no longer exists, there is no reason, allegedly, why it should remain effective. Accordingly, applicant requests the revocation of the operative right.

Union Pacific Railroad Company has no objection to the granting of the supplemental application. No other carrier is interested in this matter. The supplemental application, accordingly, will be granted. This is not a matter requiring a public hearing.

FIRST SUPPLEMENTAL ORDER

Supplemental application having been filed herein; and good cause appearing,

IT IS ORDERED as follows:

(1) That the certificate of public convenience and necessity granted to A. Meyers, doing business as Western Transportation Company, by Decision No. 34357, rendered herein

July 1, 1941, authorizing operation as a highway common carrier, as defined by Section 2-3/4, Public Utilities Act, between the points and subject to the limitations therein described, be and it hereby is revoked and annulled.

(2) That any and all tariffs and time tables heretofore filed with the Commission by applicant, pursuant to the certificate granted by Decision No. 34357, be and they are, and each of them is hereby cancelled.

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

Dated at San Francisco, California, this 3d day of October, 1944.

Justus S. Auer
Frank R. Havens

Frank S. Powell
COMMISSIONERS