

Decision No. 37468

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of )  
CHARLES SNAPP, doing business under )  
the firm name and style of SNAPP )  
STACE LINES, for a certificate )  
approving a lease to J. W. BENJAMIN )  
of a portion of applicant's common )  
carrier and passenger service, commencing )  
at Gazelle and extending to Etna and )  
return via Callahan, California. )

Application No. 25099  
1st Supplemental

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION

Decision No. 36045, rendered December 22, 1942, in the above entitled matter, authorized Charles Snapp to discontinue and abandon the transportation of passengers and property between Gazelle and Etna and intermediate points via Callahan. This decision also granted a certificate to J. W. Benjamin authorizing him to establish and operate a passenger stage and highway common carrier service between the same points. Paragraph (4) of the order of said Decision No. 36045 ordered Charles Snapp and J. W. Benjamin to concurrently establish joint fares and joint rates for the transportation of passengers and property between the points served by Benjamin east of Etna to and including Gazelle and points intermediate thereto, on the one hand, and points served by Snapp west of Etna to and including Somes Bar and points intermediate thereto, on the other hand.

Thereafter, Charlie Snapp (sometimes known as Charles

Snapp) filed a supplemental application requesting the Commission to delete from the order of said Decision No. 36045 paragraph (4) above referred to. More recently, the Commission received a letter from J. W. Benjamin stating that he had abandoned operations authorized under the certificate granted by said Decision No. 36045, and requested the Commission to issue an order of revocation thereof.

In view of the situation developed as above outlined, it would appear to be appropriate to dismiss the supplemental application of Charlie Snapp, rescind paragraphs (3), (4) and (5) of the order of said Decision No. 36045 requiring certain tariff filings, and to revoke the operative right of J. W. Benjamin described above. <sup>(1)</sup> Such will be the order. No public hearing is necessary.

FIRST SUPPLEMENTAL ORDER

Good cause appearing,

IT IS ORDERED as follows:

(1) That First Supplemental Application No. 25099, filed April 30, 1943, is hereby dismissed.

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(1) On October 29, 1944, Charlie Snapp filed Application No. 26419 requesting the Commission to grant to him a new certificate authorizing the establishment and operation of service for the transportation of passengers and property between Etna and Gazelle and intermediate points via Callahan. This would be over the identical route, serving all of the points heretofore served by Snapp under the operative right revoked by Decision No. 36045, which is also identical to the service formerly provided by Benjamin.

(2) That paragraphs (3), (4) and (5) of the order of Decision No. 36045, rendered December 22, 1942, are hereby rescinded and the operative right granted to J. W. Benjamin in paragraph (2) of the order of Decision No. 36045 is hereby revoked and annulled.

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

Dated at San Francisco, California, this 9<sup>th</sup> day of November, 1944.

Richard L. Baker  
Justin F. Cooney  
Francis R. Havenue

Joan H. Powell  
COMMISSIONERS