

Decision No. 37741

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of VALLEY AND COAST TRANSIT COMPANY, a corporation, to transfer its highway common carrier operative rights, automotive equipment and other property, to CALIFORNIA MOTOR TRANSPORT CO., LTD., a corporation, and of CALIFORNIA MOTOR TRANSPORT CO., LTD. to remove limitation upon its highway common carrier certificates.

Application No. 24371

VALLEY MOTOR LINES, INC., a corporation,  
Complainant,

vs.

Case No. 4602

E. L. McCONNELL, doing business as Coast Line Express, E. L. McCONNELL, doing business as Valley and Coast Transit Company, COAST LINE EXPRESS, a corporation, VALLEY AND COAST TRANSIT COMPANY, a corporation, CALIFORNIA MOTOR EXPRESS LTD., a corporation, first John Doe, second John Doe, third John Doe, fourth John Doe Corporation and fifth John Doe Corporation,

Defendants.

ORDER DENYING REHEARING AND DENYING  
PETITION FOR CLARIFYING AMENDMENT

Decision No. 37472, issued on November 9, 1944, ordered Valley and Coast Transit Company to cease highway common carrier operations, as an underlying carrier for Coast Line Express, between points in the San Joaquin Valley and points between and including King City and East Bay points, until a certificate therefor be obtained by said defendant. The complaint in Case No. 4602, which

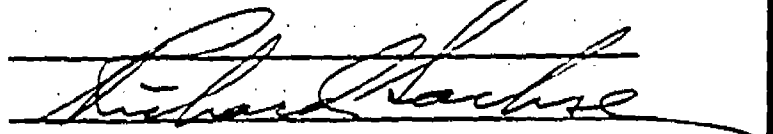
alleged that Valley and Coast Transit Company had operated in violation of territorial restrictions contained in its certificates, was dismissed in all other respects.

The same decision also authorized the transfer of highway common carrier operative rights and property from Valley and Coast Transit Company to California Motor Transport Co., Ltd., subject to a restriction that no freight be transported between points in the San Joaquin Valley and points between and including King City and East Bay points.

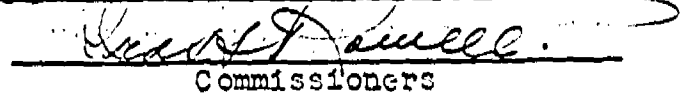
The order was suspended by the filing of a petition for rehearing by Valley Motor Lines, Inc., on November 18, 1944. On December 7, 1944 Valley and Coast Transit Company filed a petition for clarifying amendment. The latter petition, asserting unintentional error on the part of the Commission, requested that the order be clarified, as to the restriction involving East Bay points, by making such restriction applicable only to the East Bay points from Richmond on the north to Hayward on the south, and all points south of Hayward to but not including San Jose.

Oral argument on both petitions was had before the entire Commission on December 11, 1944. The Commission has considered the allegations of both petitions and the oral argument had thereon, and being of the opinion that no good cause has been shown for the granting of either petition, IT IS ORDERED that each of said petitions be and it is hereby denied.

Dated, San Francisco, California, this <sup>th</sup> 20 day of March, 1945.





  
Commissioners