

Decision No. 37743

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
COAST LINE EXPRESS, a corporation,
to transfer its express operative
rights to CALIFORNIA MOTOR EXPRESS,
LTD., a corporation, and to merge said
operative rights with the express op-
erative rights of CALIFORNIA MOTOR
EXPRESS, LTD.

Application No. 24366

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

vs.

Case No. 4601

E. L. McCONNEL, doing business as
Coast Line Express, COAST LINE EXPRESS,
a corporation, JAMES C. COUGHLIN, an
individual, CALIFORNIA MOTOR TRANSPORT,
LTD., 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

Decision No. 37475, issued on November 9, 1944, dismissed a complaint which challenged the lawfulness of express operations conducted by Coast Line Express (as well as the validity of the latter's operative rights), and authorized the transfer of express corporation operative rights from Coast Line Express to California Motor Express, Ltd. The order was suspended by the filing of a petition for rehearing by Valley Motor Lines, Inc., on November 18, 1944. Oral argument on said petition was had before the entire Com-

mission on December 11, 1944.

The petition, which sets forth a number of alleged errors, asserts in substance that no prescriptive right has been established between the points and territories involved, and that past operations have been unlawful in that through scheduled service has been furnished where such was not permitted by territorial restrictions.

The Commission has considered the allegations of the petition and the oral argument had thereon, and being of the opinion that no good cause has been shown for the granting of a rehearing, IT IS ORDERED that the petition for rehearing be and it is hereby denied.

Dated, San Francisco, California, this 20th day of March, 1945.

Richard Lachse
Francis C. ...

Francis C. ...

Commissioners