

ORIGINAL

Decision No. 43587

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Frank C. Winans and Grant A. Winans
doing business as Winans Brothers,
and related Applications, for certi-
ficates of public convenience and
necessity to operate as highway common
carriers for the transportation of
lumber and forest products over described
routes and between specified points in
northern California.

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) Applications Nos. 29621
) 29680
) 29762
) 29792
) 29793
) 29892
) 29936
) 29965

FIRST SUPPLEMENTAL OPINION AND ORDER

On November 30, 1949, a petition for modification of Decision No. 43424, dated October 18, 1949, was filed by Yreka Western Railroad, applicant in Application No. 29892, requesting an extension of time in which to accept the certificate and comply with the other requirements of the foregoing decision.

Petitioner, Yreka Western Railroad, alleges that it has under negotiation with the Southern Pacific Company the establishment and publication of through joint rates in the area in which certificated highway common carrier operations were authorized by Decision No. 43424 and that it is contemplated the negotiations to establish these through joint rates cannot be completed within the time specified in the foregoing decision. Therefore, good cause appearing,

IT IS ORDERED:

(1) That paragraph (2) of the order in Decision No. 43424 is hereby amended to read as follows:

"That in providing service pursuant to the certificates herein granted, there shall be compliance with the following service regulations:

- (a) Applicants, except Yreka Western Railroad, shall each file a written acceptance of their respective

certificates as herein granted within not to exceed 30 days after the effective date hereof.

- (b) Applicants, except Yreka Western Railroad, shall each, within 90 days after the effective date of this order and upon not less than 5 days' notice to the Commission and to the public, establish the service herein authorized and comply with the provisions of General Orders Nos. 80 and 93-A (Part IV), by filing in triplicate and concurrently making effective, tariffs and time schedules satisfactory to the Commission.
- (c) Applicant Yreka Western Railroad shall file a written acceptance of its certificate as herein granted within not to exceed 90 days after the effective date hereof.
- (d) Applicant Yreka Western Railroad shall within 150 days after the effective date of this order and upon not less than 5 days' notice to the Commission and to the public, establish the service herein authorized and comply with the provisions of General Orders Nos. 80 and 93-A (Part IV), by filing in triplicate and concurrently making effective, tariffs and time schedules satisfactory to the Commission.

(2) That in all other respects the order in Decision No. 43424 shall remain in full force and effect.

Inasmuch as the time for accepting the certificate granted by Decision No. 43424 expires on December 8, 1949, this order shall become effective on the date hereof.

Dated at San Francisco, California, this 6th day of December, 1949.

John F. [Signature]
James F. [Signature]
Walter [Signature]

Commissioners