

ORIGINAL

Decision No. 52031

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into)
the rates, rules and regulations, charges,)
allowances and practices of all common)
carriers, highway carriers and city carriers)
relating to the transportation of any and)
all commodities between and within all)
points and places in the State of California)
(including, but not limited to, transporta-)
tion for which rates are provided in Minimum)
Rate Tariff No. 2).

Case No. 5432
(Petition for Modifi-
cation No. 114)

SUPPLEMENTAL OPINION AND ORDER

Decision No. 54202 of December 4, 1956, in Application No. 38271, authorized Henry L. Rubidoux to conduct operations as a passenger stage corporation for the transportation of passengers, baggage and express shipments weighing 100 pounds or less, between Dunsuir and Mt. Shasta, on the one hand, and Panther Meadows (Siskiyou County), on the other hand, and intermediate points. Because the highway between the points involved is not completed, petitioner has been granted extensions of time within which to commence the service. By the last extension, dated November 19, 1957, the Commission ordered the operation to be established and tariffs filed on or before September 15, 1958. Petitioner has been advised that the highway will be completed and open to traffic September 1, 1958. He plans to commence his for-hire passenger service on that date. By this petition, he seeks exemption from the minimum rates in connection with his express traffic.

Petitioner alleges that the express service will be incidental to the passenger service; that the minimum rates are not suitable for this service; and that he will operate in the same manner as other passenger stage corporations which have heretofore been exempted from the minimum rates.

The express service of numerous passenger stage corporations is exempt from the minimum rates under the provisions of Finding No. 14 of Decision No. 31606, (41 C.R.C. 671), as amended. In the circumstances it appears, and the Commission finds, that the sought authority is justified. A public hearing is not necessary. The petition will be granted.

Therefore, good cause appearing,

IT IS ORDERED that Decision No. 52199, as amended, in Case No. 5432, is hereby further amended, by adding Henry L. Rubidoux to the list of carriers in Appendix "B" to said Decision No. 52199, but restricted to shipments transported between Dunsmuir and Mr. Shasta, on the one hand, and Panther Meadows, on the other hand, and intermediate points.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 22nd day of July, 1958.

E. Lynn Fox
President
John L. Mitchell
Paul W. Lawrence
Theodore Jenner
Commissioners