

Decision No. 59022

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of W. H. GOFORTH to sell, and E. H. )  
McCLURE to purchase an automobile )  
(passenger or freight line) operated ) Application No. 15020  
between Covelo and Dos Rios, California. )

Investigation on the Commission's )  
own motion into the operations, ) Case No. 6271  
rates and practices of E. H. McCLURE, )  
doing business as COVELO STAGE LINES. )

SUPPLEMENTAL OPINION AND ORDER

E.H. McClure, doing business as Covelo Stage Lines, is the owner of a prescriptive right to transport property as a highway common carrier between Dos Rios and Covelo (Mendocino County) and intermediate points.

On May 9, 1959, the Commission instituted an investigation into his operations for the reason that it appeared that he had failed to comply with a decision<sup>1</sup> directing common carriers to establish certain increased rates. Subsequently, by letters, McClure informed the Commission that there is virtually no local traffic between points which he is authorized to serve as a highway common carrier. He requests that his highway common carrier operative authority be limited to traffic handled jointly with Northwestern Pacific Railroad Company. Such a<sup>2</sup> limitation would render moot the issues involved in Case No. 6271.

In the circumstances, it appears, and the Commission finds, that the aforesaid operating right should be modified as provided herein. Case No. 6271 will be dismissed.

Therefore, good cause appearing,

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<sup>1</sup> The investigation proceeding is Case No. 6271. The rate increases were directed by Decision No. 57545 in Case No. 5432.

<sup>2</sup> Joint rates for the through movements are contained in Pacific Southcoast Freight Bureau Tariff No. 255, M. A. Nelson, Tariff Publishing Officer.

IT IS ORDERED:

(1) That the prescriptive operative right to transport property as a highway common carrier between Dos Rios and Covelo and intermediate points acquired by E.H. McClure by Decision No. 20246, dated September 21, 1928, as amended, in Application No. 15020, is hereby further amended to provide that such right shall apply only to traffic handled under joint through rates with the Northwestern Pacific Railroad Company.

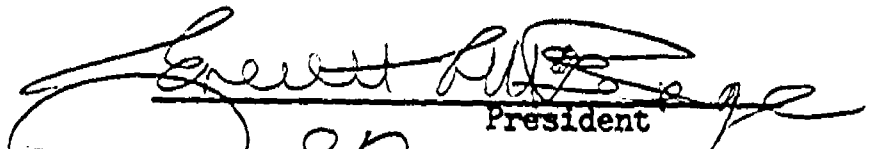
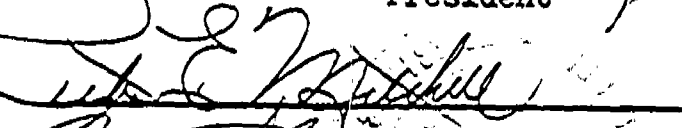
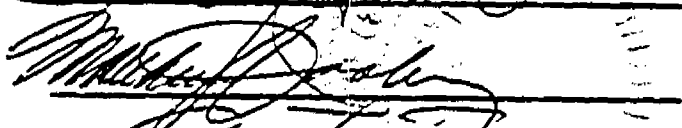
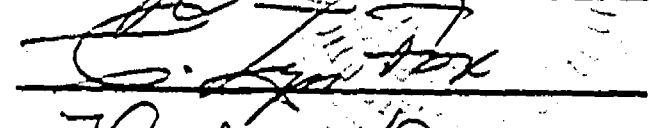

(2) That Local Freight Tariff No. 1, Cal.P.U.C. No. 3, of E. H. McClure is hereby canceled.

(3) That Case No. 6271 is hereby dismissed.

The Secretary is directed to cause service of a certified copy of this order to be made upon E. H. McClure, doing business as Covelo Stage Lines.

This order shall become effective twenty days after the date of service.

Dated at San Francisco, California, this 22nd day of September, 1959.

  
President  
  
  
  
  
Commissioners