

Decision No. 20629

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
J. A. CLARK DRAYING CO., a corpora- )  
tion, A. D. PAXTON (PAXTON TRUCK CO.) )  
and M. E. DeLAIR and R. B. RENNICK )  
(DeLAIR TRUCK CO.) for relief from )  
observance of minimum rates estab- )  
lished by Decision No. 28761 as sup- )  
plemented by Decision No. 28851. )

Application No. 20629

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

By Decisions Nos. 29105 and 29692 in the above entitled application J. A. Clark Draying Company, Ltd., and certain other applicants were granted authority under Section 11 of the Highway Carriers' Act to transport iron and steel articles under contract with Columbia Steel Company at rates lower than the minimum rates established in Decision No. 28761, as amended, in Part "A" of Case No. 4088, and Decision No. 29480, as amended, in Part "M" of Case No. 4088. The authority extended only to defined territory in the Los Angeles drayage area, and only as to shipments weighing 18,000 pounds or less.

Effective May 1, 1938, by Decision No. 30600, as amended, in Case No. 4121, minimum rates were established for transportation within specified zones in Los Angeles County for shipments of all weights. That order included intracity as well as intercity movements, and embraced territory within which applicant had theretofore enjoyed Section 11 authority. The order provided that it cancelled and superseded rates previously established.

By supplemental application filed May 9, 1938, J. A. Clark

Draying Company, Ltd., alleges that the conditions existing at the time the original authority was granted remain unchanged and asks that to the extent such authority may have been cancelled by Decision No. 30600, supra, it be revived by appropriate order of the Commission, and that it be extended to include intracity movements. Applicant does not request any further extension of the scope of such authority, either as to territory, commodities, or weights of shipments.

It appears that this is not a matter in which a public hearing is required, and that the authority sought should be granted. Therefore, good cause appearing,

IT IS HEREBY ORDERED that J. A. Clark Draying Company, Ltd., be and it is hereby authorized to transport iron and steel articles as specified in Decision No. 29105 of September 14, 1936, in the above entitled application, under contract with Columbia Steel Company, at rates less than the minimum rates established therefor in Decision No. 28761, as amended, in Part "A" of Case No. 4088; Decision No. 29480, as amended, in Part "M" of Case No. 4088; and Decision No. 30600, as amended, in Case No. 4121, to the extent that lower rates than those so established are set forth in Appendix "A" of said Decision No. 29105.

The authority herein granted shall expire one year from the date hereof, unless sooner changed, cancelled or extended by appropriate order of the Commission.

This order shall become effective three (3) days from the date hereof.

Dated at San Francisco, California, this 23<sup>rd</sup> day of May, 1938.

Walter H. ...  
James ...  
Paul ...  
Ray ...  
Commissioners