

Decision No. 31171

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Paul Ludolph Company for certificate of Public Convenience and Necessity authorizing the transportation by motor truck of milk and cream, milk and cream products and farm and dairy supplies between points in Marin, Mendocino, Napa, Sonoma, and Solano Counties and the transportation by motor truck of milk and cream, and milk and cream products - liquid or semi-liquid - between the above-described points on the one hand and the municipalities of San Francisco, California, and/or Oakland, California, on the other.

Supplemental
Application No. 21168

BY THE COMMISSION:

O P I N I O N

By this supplemental application Paul Ludolph Company, a corporation, requests an order of this Commission amending its certificate of public convenience and necessity by eliminating therefrom any and all rights for the highway common carrier transportation of farm and dairy supplies as heretofore authorized by Decision No. 29770, dated May 17, 1937, on Application No. 21168, and specifically set forth in rule 40, Local Freight Tariff No. 3, C.R.C. 3, of said Paul Ludolph Company.

Justifying the instant application applicant alleges that for the past twelve months none of the commodities embraced in item 40 referred to have been offered or transported for shipment; service to the public will not be impaired because other highway common carriers are authorized to and do perform the service sought to be eliminated; and, further, the granting of such authority will relieve Paul Ludolph Company of the necessity for complying with Decision No. 30370, in Case No. 4293, requiring establishment and filing of rates on commodities not moved or being moved which would result in considerable expense to applicant.

This appears to be a matter in which a public hearing is not necessary. The application will be granted.

O R D E R

IT IS HEREBY ORDERED that the certificate of public convenience and necessity heretofore granted to Paul Ludolph Company by Decision No. 29770 be and it is hereby amended by the deletion therefrom of any and all references to farm and dairy supplies as the same are more specifically set forth in item 40 Local Freight Tariff No. 3, C.R.C. No. 3 and Decision No. 29770, in so far as it confers authority to transport said farm and dairy supplies be and it is hereby revoked and annulled, provided that applicant Paul Ludolph Company shall immediately prepare and file in triplicate, on at least five (5) days notice to the Commission, a supplement to its tariff showing the abandonment of service herein authorized.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California this 8th day of August, 1938.

Paul Ludolph
John A. Whittell
Frank A. Rubin
Ray L. Kelley

COMMISSIONERS.