

Decision No. 31622

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of  
maximum or minimum, or maximum and mini-  
mum rates, rules and regulations of all  
Radial Highway Common Carriers and High-  
way Contract Carriers operating motor  
vehicles over the public highways of the  
State of California, pursuant to Chapter  
223, Statutes of 1935, for the transpor-  
tation for compensation or hire of any  
and all commodities and accessorial ser-  
vices incident to such transportation.

Case No. 4088

Part "F"

In the Matter of the Investigation and  
Establishment of rates, charges, classi-  
fications, rules, regulations, contracts  
and practices, or any thereof, of Common  
Carriers of grain and grain products,  
and related articles.

Case No. 4118

BY THE COMMISSION:

THIRD SUPPLEMENTAL ORDER AND ORDER DENYING  
PETITION FOR VACATION OR SUSPENSION

By petition filed December 16, 1938, Los Angeles Grain Exchange, Imperial Grain Growers, Poultrymen's Cooperative Association of Southern California, Southern California Flour Millers Traffic Association and San Francisco Grain Exchange seek a vacation of Decision No. 30640, as amended, in the above entitled proceedings, which decision established minimum rates for the transportation of grain and grain products by highway carriers and required certain adjustments to be made in the rates of common carriers for the same transportation. Petitioners ask in the alternative that said order be suspended until May 31, 1939. In support of the petition it is alleged that it is impossible to compute mileages accurately on shipments moving from or to points located in rural areas and that a system of zone or group rates should be substituted for the mileage method of stating rates.

By Decision No. 31605 of *December 27*, 1938, in Case No. 4088, Part "N", Case No. 4145 and Case No. 4246, new constructive mileages have been established on a basis more comprehensive than that heretofore employed. A table attached to the decision sets forth specific constructive mileages between 323 headline and 323 sideline points in the state and also contains rules and regulations necessary to determine the constructive highway mileage between any two points within the state. This order in a large measure eliminates the difficulty of which petitioners complain. Decision No. 30640, supra, as amended, will be further amended to make the rates therein established subject to the new basis of computing mileages. With this modification we are of the opinion that no good cause for the vacation or suspension of Decision No. 30640, as amended, has been made to appear.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the petition of Los Angeles Grain Exchange, Imperial Grain Growers, Poultrymen's Cooperative Association of Southern California, Southern California Flour Millers Traffic Association and San Francisco Grain Exchange, filed December 16, 1938, in the above entitled proceedings, be and it is hereby denied.

IT IS HEREBY FURTHER ORDERED that the following item be substituted for Item No. 40 of Appendix "A" of Decision No. 30640, as amended, in the above entitled proceedings:

"Item No. 40-A - COMPUTATION OF DISTANCES

Distances shall be computed in accordance with Decision No. 31605 dated December 27, 1938, in Case No. 4088, Part "N", Case No. 4145 and Case No. 4246."

The effective date of this order shall be February 15,  
1939.

In all other respects said Decision No. 30640, as amended, shall remain in full force and effect.

Dated at San Francisco, California, this 3<sup>rd</sup> day of  
January, 1939.

Robert H. Smith  
Frank A. Miller  
Ray H. Rice  
H. P. Hall

Commissioners.