

Decision No. 31315

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 S. W. NELSON for the authorization of
 lesser rates than the minimum rates
 established by Decision No. 30370,
 Case No. 4088 (Part U; Part V) Case
 No. 4145 (Part F; Part G) insofar
 as it relates to the transportation
 of Clay and Clay Products, between
 Alberhill, California, and other
 points in California.

Application No. 21619

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 30733 of March 28, 1938, in the above
 entitled application, S. W. Nelson was granted authority under
 Section 11 of the Highway Carriers' Act to transport certain clay
 products from plants of Gladding McBean & Company located at Los
 Angeles, Santa Monica and Alberhill to points in southern and
 central California as far north as Bakersfield and San Luis Obispo,
 at less than the minimum rates established therefor in Case No.
 4088, Parts "M" and "V". Provision was made that the authority so
 granted would expire April 17, 1939. By supplemental application
 filed April 7, 1939, applicant seeks an extension of that authority
 until the effective date of the minimum rates established by De-
 cision No. 31606 in Case No. 4246, in re Rates of all Common and
Highway Carriers.¹ In support of the supplemental application it
 is stated that the latter decision makes substantial changes in the
 minimum rates from which applicant was authorized to deviate, but

¹ Decision No. 31606 establishes minimum rates of statewide appli-
 cation which, upon their becoming effective, will cancel and super-
 sede the minimum rates established in Case No. 4088, Parts "M" and
 "V", from which applicant originally was given relief.

that a continuance of the relief is necessary until such time as the new minimum rates become effective.

This does not appear to be a matter in which a public hearing is necessary. Parties who entered appearances in the hearing on the original application have been notified of the filing of the supplemental application and have offered no objection to the extension sought. The supplemental application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that, unless otherwise ordered by the Commission, the expiration date of the authority granted to S. W. Nelson by Decision No. 30733 of March 28, 1938, in the above entitled application, be and it is hereby extended to the effective date of the minimum rates established by Decision No. 31606 of December 27, 1938, in Case No. 4246.

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

Dated at San Francisco, California, this 11th day of

April, 1939.

Rafael...
Frank...

J. J. Baker
Justus J. Calver
Commissioners.