Decision No. <u>32009</u>

REFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of J. A. CLARK DRAYING CO., a corporation, A. D. PAXTON (PAXTON TRUCK CO.) and M. E. DeLAIR and R. B. RENNICK (DELAIR TRUCK CO.) for relief from observance of minimum rates established by Decision No. 28761 as supplemented by Decision No. 28831.

Application No. 20629

## BY THE COMMISSION:

## THIRD SUPPLEMENTAL OPINION AND ORDER

By prior orders in this proceeding, J. A. Clark Draying Company, Ltd., a highway contract and city carrier, has been authorized to transport certain iron and steel articles within defined territory in and around Los Angeles, under contract with Columbia Steel Company, at rates lower than the established minimum rates. The authority will expire May 23, 1939, unless extended by appropriate order of the Commission. By supplemental application filed April 15, 1939, indefinite continuance thereof is sought. It is alleged that applicant's operations and its costs of performing this service have not changed in any material respect since the authority was granted, and that its operations under that authority have been and now are profitable.

It appears that this is a matter in which a public hearing is not necessary and that an extension of the authority should be granted. Necessarily, this finding is based on existing conditions. For this reason the extension will be limited to a period of one year unless cancelled, changed or extended by order of this Commission. Therefore, good cause appearing,

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IT IS HERREY 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. 31473, 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 May 23, 1940, unless sconer changed, cancelled or extended by appropriate order of the Commission.

> This order shall become effective May 23, 1939. Dated at San Francisco, California, this <u>16</u> ay of <u>act</u>, 1939.

Commissioners.