

Decision No. 22050

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of WALTER G. HULSMAN to charge less
than established minimum rates.

ORIGINAL
Application No. 22050.

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER.

By Decision No. 31035 of June 27, 1938, in the above entitled application, Walter C. Hulsman, an individual doing business as Walter C. Hulsman Trucking Company, a highway contract carrier, was authorized to transport beer, wine and empty carriers returning, under contract with Grace Bros. Brewing Co. and Grace Bros. Inc., between the Santa Rosa winery and brewery of those companies on the one hand and San Francisco, Redwood City, San Jose, Monterey, Oakland, San Leandro, Stockton, Sacramento, Woodland, Willows, Marysville, Oroville, Chico and Redding on the other hand, at rates lower than the established minimum rates. Provision was made that the authority would expire June 27, 1939, unless sooner changed, cancelled or extended by appropriate order of the Commission. By supplemental application, applicant now seeks an extension of that authority until December 31, 1939.

In support of the supplemental application, it is alleged that the rates previously authorized proved compensatory in the past and will be compensatory in the future and, moreover, that an extension of the authority is necessary to enable applicant to carry out the terms of the contract with his shippers. Statements appended to the supplemental application indicate that during the period from July 1, 1938, to April 30, 1939, the authorized rates produced a substantial profit.

Letters have been received from the California Brewers Institute and Sacramento Chamber of Commerce, renewing objections raised at the hearing on the original application, to the effect that the granting of special authority to this carrier would prejudice brewers in other territories, particularly after August 7, 1939, the date on which the new minimum rates established by Decision No. 31606, as amended, in Case No. 4246, are ordered to become effective.

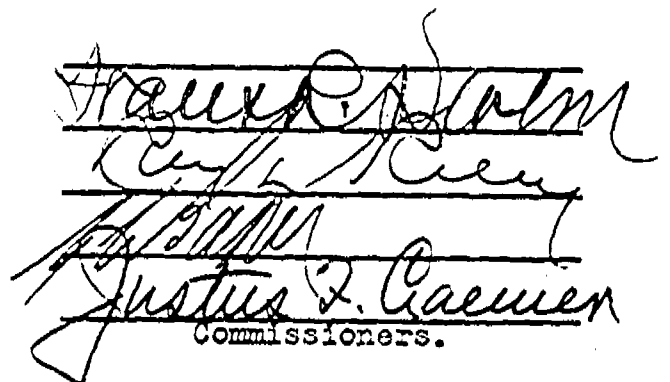
Except for the changes in the minimum rates applicable to the transportation here involved in the absence of Section 11 authority, which are to become effective August 7, 1939, under the provisions of Decision No. 31606, supra, protestants have advanced no contentions which were not considered in connection with the original application and which appear to warrant a denial of the supplemental authority here sought. Extension of the previous authority until that date will be authorized, therefore, and a public hearing will be scheduled for the purpose of determining whether or not Section 11 relief will be justified thereafter.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the expiration date of the authority granted by Decision No. 31035 of June 27, 1938, in the above entitled application, be and it is hereby extended to August 7, 1939, unless sooner changed, cancelled or further extended by appropriate order of the Commission.

This order shall become effective June 27, 1939.

Dated at San Francisco, California, this 20th day of June, 1939.


Commissioners.