

Decision No. 32587

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Higgins Trucks, Inc., for per-)
mission to charge less than minimum)
rates on freight, regardless of)
classification.)

ORIGINAL

Application No. 22395

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 31437, in the above entitled application, Higgins Trucks, Inc., a highway contract carrier and a city carrier, was authorized to transport shipments of property weighing 500 pounds or less, in routed parcel delivery service within the Los Angeles drayage area for B. F. Goodrich Co., at rates less than the established minimum rates. ¹ This authority is scheduled to expire November 28, 1939. By supplemental application, an extension of the authority for a further period of one year is sought. It is alleged, in substance, that the conditions existing at the time the original authority was granted still prevail; that the revised basis of minimum rates established by Decision No. 32504, to become effective January 1, 1940, is unreasonable for this transportation; and that the interested shipper has concluded to commence proprietary operations unless the sought extension of the existing authority is obtained.

The minimum rates which will become effective January 1, 1940, are, in general, substantially lower than those in effect at

1 The established minimum rates for the transportation involved are set forth in Decision No. 50785, as amended, in Case No. 4121. Effective January 1, 1940, these rates will be superseded by revised minimum rates established in Decision No. 32504 of October 24, 1939, as amended, in the same proceeding.

the time the original authority herein was granted, and were designed to eliminate the need for departure from the minimum rates in connection with this transportation in the future. Under these circumstances, it appears that an extension, until December 31, 1939, of the existing authority should be granted without public hearing and that, prior to that date, a hearing should be scheduled for the purpose of determining whether or not a further extension is justified.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the expiration date of the authority granted by Decision No. 31427, of November 26, 1938, in the above entitled application, be and it is hereby extended to December 31, 1939, unless sooner changed, modified or cancelled by appropriate order of the Commission.

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

Dated at Los Angeles, California, this 28th day of November, 1939.

R. Swapping
Ralph Pacey
M. B. Allen
Justus J. Cassner
Commissioners.