

Decision No. 32627

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment)
of maximum or minimum, or maximum)
and minimum rates, rules and regu-)
lations of all common carriers as)
defined in the Public Utilities Act)
of the State of California, as)
amended, and all highway carriers)
as defined in Chapter 223, Statutes)
of 1935, as amended, for the trans-)
portation, for compensation or hire,)
of any and all commodities.)

Case No. 4246.

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

An adjourned hearing was held in this proceeding before Examiner Davis in San Francisco on October 31, 1939, for the purpose of affording a hearing herein to carriers who had not previously had an opportunity to be heard respecting the subject matter of this proceeding, minimum rates, rules and regulations applicable to all other common and highway carriers having been heretofore established herein by Decision No. 31606, as amended.¹ The parties for whom such hearing was held include those who obtained permits or certificates as highway carriers between July 1, 1939, and October 24, 1939, and those who on October 24, 1939, had pending before the Commission applications for permits as highway carriers. The record shows that due service of the order of investigation and notice of hearing herein has now been made on all such carriers and applicants, as well as on all other highway carriers operating under au-

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Said Decision No. 31606, as amended, established minimum rates, rules and regulations of statewide application for the transportation of property of all kinds (with exceptions not here important) by common, radial highway common and contract carriers.

thority obtained from this Commission prior to October 24, 1939, and all those carriers and applicants have been afforded full opportunity to be heard concerning the matters involved in this proceeding.

Evidence was introduced at the hearing, based upon studies of rates and costs of operation, that the minimum rates and charges and the rules and regulations established and prescribed by said Decision No. 31606, as modified, supplemented, and amended,² are just, reasonable, and nondiscriminatory for all highway carriers, including those new carriers and applicants hereinabove referred to, as well as those previously subject thereto. Except as to the particular matters dealt with in Decisions Nos. 32609 and 32611 issued concurrently herewith, no criticism was made of the propriety of those minimum rates and charges, rules and regulations, and no reason was advanced why they should not be applied as minimum by all highway carriers presently in operation. Decision No. 31606, as amended, was based upon average conditions affecting the various types of operation and appears to be equally proper for the carriers for whom this hearing was provided as for the others. The evidence upon which Decisions Nos. 32609 and 32611 are based having been received at the same hearing, the modifications of Decision No. 31606 or supplements thereto effected thereby should be made applicable to all highway carriers, the new ones as well as the old.

Upon consideration of the evidence, therefore, we conclude that the minimum rates, charges, accessorial charges, and the ratings, rules, and regulations established and prescribed in and by Decision No. 31606, as supplemented, amended, and modified, should be established for and made applicable by all highway carriers.

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Decision No. 31606 is modified, supplemented and amended by Decisions Nos. 31605, 31991, 31995, 31996, 32163, 32401, 32425 and 32469.

O R D E R

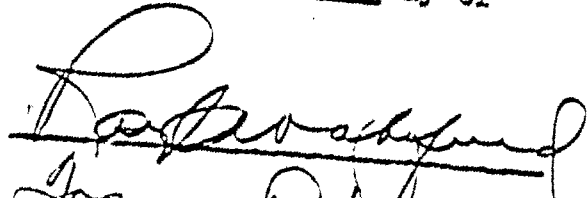


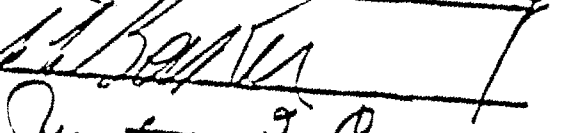
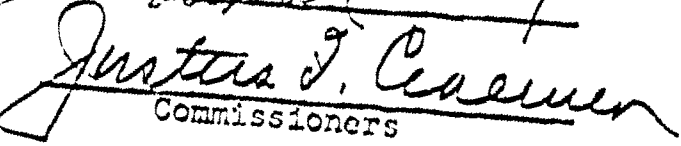
Good cause appearing,

IT IS HEREBY ORDERED that the findings and orders in said Decision No. 31606, as supplemented, amended, and modified by the findings and orders in Decisions Nos. 31605, 31991, 31995, 31996, 32163, 32401, 32425, 32469, 32609 and 32611, be and they are hereby adopted as the findings and orders herein, and a copy of each of said decisions (including the appendix or appendices thereto, if any) is attached hereto and is hereby referred to and made a part hereof.

IT IS HEREBY FURTHER ORDERED that any and all supplements to and modifications and amendments of said Decision No. 31606 hereafter made in this proceeding shall be and shall be deemed to constitute supplements to or modifications or amendments of this decision also, without express reference to this decision therein, and all highway carriers subject to this decision are hereby ordered and directed to observe and comply with any and all such supplements, modifications, and amendments of said Decision No. 31606 as though this decision were expressly supplemented, modified, and amended thereby.

This order shall become effective ten (10) days after the date hereof.

Dated at San Francisco, California, this 5th day of month, 1939.






 Commissioners

CORRECTION

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THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

O R D E R

Good cause appearing,

IT IS HEREBY ORDERED that the findings and orders in said Decision No. 31606, as supplemented, amended, and modified by the findings and orders in Decisions Nos. 31605, 31991, 31995, 31996, 32163, 32401, 32425, 32469, 32609 and 32611, be and they are hereby adopted as the findings and orders herein, and a copy of each of said decisions (including the appendix or appendices thereto, if any) is attached hereto and is hereby referred to and made a part hereof.

IT IS HEREBY FURTHER ORDERED that any and all supplements to and modifications and amendments of said Decision No. 31606 hereafter made in this proceeding shall be and shall be deemed to constitute supplements to or modifications or amendments of this decision also, without express reference to this decision therein, and all highway carriers subject to this decision are hereby ordered and directed to observe and comply with any and all such supplements, modifications, and amendments of said Decision No. 31606 as though this decision were expressly supplemented, modified, and amended thereby.

This order shall become effective ten (10) days after the date hereof.

Dated at San Francisco, California, this 5th day of December, 1939.

Commissioners