

Decision No. 32084

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of R. G. KNOLL, INC., LTD., a cor-)
poration, for authority to charge) Application No. 21539
less than minimum rates, under the)
provisions of the Highway Carriers')
Act.)

ORIGINAL

BY THE COMMISSION:

THIRD SUPPLEMENTAL OPINION AND ORDER

By supplemental application R. G. Knoll, Inc., Ltd., a highway contract carrier, seeks a one year extension of the authority granted it by Decision No. 30377 of December 6, 1937, in the above entitled application (as amended by Decisions Nos. 30982 of June 13, 1938, and 31579 of December 19, 1938), to transport sugar from Los Angeles and Long Beach Harbors to Los Angeles, Glendale, Pasadena and Santa Ana, for California-Hawaiian Sugar Refining Corporation, Ltd., at rates less than the established minimum rates. It alleges that the conditions existing at the time the original authority was granted still exist to the same extent and in the same degree and manner; and that no new conditions have since arisen to obviate the need for this authority in the future.¹

Also, applicant requests that specific provision be made for the furnishing of helpers for loading shipments, without additional charge. It alleges that its cost studies showing the sought rates to be compensatory included the cost of furnishing helpers.²

¹ At the time the original authority was granted the minimum rates in effect for this transportation were those established by Decision No. 29480, as amended, in Case No. 4088 Part "M". Effective August 7, 1939, this order was superseded by Decision No. 31606, as amended, in Case No. 4246. Applicant states that while the rates provided in the latter order are lower in many instances than those which it was authorized to charge herein, they are higher in a few instances.

² Under Decision No. 29480, no additional charge was required to be made for helpers used to load shipments and, hence, the authority to deviate from the rates in that order did not specifically state that the authorized rates would include helper service. In Decision No. 31606, however, an additional charge of \$1.00 per man per hour is prescribed for helpers and it is from this provision that applicant now seeks specific authority to deviate.

This does not appear to be a matter in which a public hearing is necessary. The supplemental application will be granted.

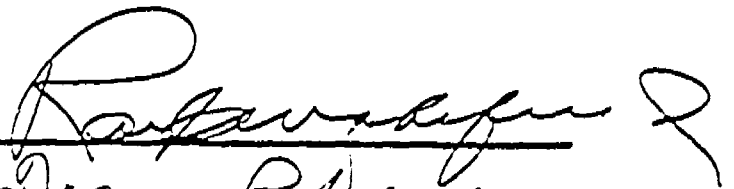



Therefore, good cause appearing,

IT IS HEREBY ORDERED that R. G. Knoll, Inc., Ltd., be and it is hereby authorized to assess and collect rates less than the established minimum rates but not less than those set forth in Appendix "A" of Decision No. 30377, dated December 6, 1937, as amended by Decisions Nos. 30982 of June 13, 1938, and 31579 of December 19, 1938, for the transportation of sugar for California-Hawaiian Sugar Refining Corporation, Ltd., between the points specified in said Appendix "A", the rates in said Appendix "A" to include the services of a helper or helpers to load the carrier's equipment.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire December 26, 1940, unless sooner changed, cancelled or extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 27th day of December, 1939.

Commissioners