

Decision No. 32745

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Seaboard Transportation Co., Inc., for authority to charge less than minimum rates established by the Railroad Commission of the State of California affecting the territory, San Luis Obispo and south, and within the City of Los Angeles, and the Los Angeles Drayage territory.

ORIGINAL

Application No. 22226

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

By Decision No. 31653 of January 16, 1939, as amended by Decision No. 32066 of June 6, 1939, Seaboard Transportation Company, Inc., a highway contract and city carrier, was authorized to transport carbonated beverages from the bottling plant of Canada Dry Ginger Ale, Incorporated, located in the City of Vernon, to various specified points in southern California, and to transport empty containers returning to the bottling plant, at rates lower than the established minimum rates. This authority will expire January 21, 1940. By supplemental application, applicant now seeks an extension of this authority for an additional one-year period. It is alleged in the supplemental application that the circumstances and conditions found by the Commission to justify the original authority continue to exist without material change, except that the volume of traffic handled has increased slightly and operating costs have been lowered in some instances.

At the time the original authority herein was granted,

the minimum rates in effect for the transportation involved were those established by Decision No. 30600, as amended, in Case No. 4121; Decision No. 29480, as amended, in Case No. 4088, Part "M"; and Decision No. 30370, as amended, in Case No. 4088, Part "V". These orders have since been cancelled and superseded, however, by Decision No. 31606, as amended, in Case No. 4246, and Decision No. 32504, as amended, in Case No. 4121. In general, the rates provided in the latter orders are substantially lower than those formerly in effect. As a matter of fact, a statement appended to the supplemental order herein shows that for the months of September, October, and November, 1939, revenue under the authorized rates amounted to \$6,632.35, and that revenue not exceeding \$50.00 in excess thereof (\$6,677.25) would have accrued under the minimum rates. Under these circumstances, it appears that the present minimum rates are not excessive for this transportation and that, therefore, the original justification for the authorized rates no longer exists. However, a short extension will be granted, and a public hearing will be scheduled in order that applicant will have full opportunity to show any facts or circumstances believed to warrant authority to charge in the future rates less than or different in form from the established minimum rates.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the expiration date of the authority granted to Seaboard Transportation Company, Inc., by Decision No. 31653, as amended, in the above entitled application, be and it is hereby extended to April 2, 1940.

IT IS HEREBY FURTHER ORDERED that in all other respects, said Decision No. 31653, as amended, shall remain in full force and effect.

This order shall become effective January 21, 1940.

Dated at San Francisco, California, this 16th day of January, 1940.

Ray & Riley
James P. Hume
Robert W. Hume

Justus J. Casner
Commissioners.