Docision No. $\qquad$
BERORE TEE RAILROAD COINISSION OF MEE STATE OF CAITFORNIA
In the Matter of the Application of GEORG J. FRATIES doing business as ROCK AND GRAVEL TRUCKING CO., for authority to charge less than the minimim rates pursuant to Section 11, Highway Carriers. Act, Chapter 223. Statutes of 1935.

BY THE COMUISSION:

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By his application filed August 6, 2939, George J. Fraties, doing business as Rock and Gravel Imacking Co., who was thon authorized to operate as a radial higiway comon carrifer under sermit which had been issued to him, sought quthority under Section 11, E゙ghway Carniors' Act, to maintain a rate for the transportation of property in dump tracks lower than the minimun rates proscribed by the Comission for such transportation by Decision No. 2R836, datec Nay 25, 2936, in Case No. 4007. For ro-surisacing of State Higkways and for other miscelleneous beuling as recuircd, to be porfomed by $31 x$ four-fand dump tmacks for the Caiffomia Departmont of Public Works, Divisfon of Elghways, within Santa Borbara County, in District $V$, he proposed to estabiish rates (including the services of a onfrer) of $\$ 2.55$ per hour for material handed under power loading, and sp. 30 per hour for material moving under hand loading. The agreement between applicant and the Degartmont provided that the tmack shoule be so emplojed for a period of not oxcooding thinty working days during the term ending Decomber 31, 1939.

The period witinin which tinis work was to be performed having expired, it now appears that this proceoding should bo dismis30d.

ORDER

The Comisoion hoving duIy considerod tho appifcation in this matter and being now fully adivised:

IT IS EEREBY CRDERED that the above entitiod proceoding be and it is heroby dismissed.

This order sholl bocome effective imediately/ Dated at San Francísco, Calffomia, this $12^{\text {oh }}$ day of Narck, 1940.


