

Decision No. 322883

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
GEORGE J. FRATIES doing business as)	
ROCK AND GRAVEL TRUCKING CO., for)	
authority to charge less than mini-)	Application No. 22074
imum rates pursuant to Section 11,)	
Highway Carriers' Act, Chapter 223,)	
Statutes of 1935.)	

ORIGINAL

BY THE COMMISSION:

O P I N I O N

By his application filed July 5, 1938, George J. Fraties, doing business as Rock and Gravel Trucking Co., who was then authorized to operate as a radial highway common carrier under a permit which had been issued to him, sought authority under Section 11, Highway Carriers' Act, to maintain a rate for the transportation of property in dump trucks lower than the minimum rates prescribed by the Commission for such transportation by Decision No. 28036, dated May 25, 1936, in Case No. 4087. For hauling gravel and slide material and for performing other miscellaneous work as required, under power loading, in two three-yard dump trucks, for the California Department of Public Works, Division of Highways, in District I, he proposed to establish a rate (including the services of a driver) of \$2.38 per hour. The application does not disclose the period within which performance of the work should be completed, although it specifies the number of hours each truck was to be employed.

Under the circumstances, it now appears that this proceeding should be dismissed.

ORDER

The Commission having duly considered the application in this matter and being now fully advised:

IT IS HEREBY ORDERED that the above entitled proceeding be and it is hereby dismissed.

This order shall become effective immediately.

Dated at San Francisco, California, this 12th day of March, 1940.

Ray & Curry
Frank Murphy
Rachelson
M. H. Hall
Justin F. Casanova
(Commissioners)