

Decision No. 3221533

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Charles C. Hopping to charge) Application No. 23300
less than established minimum)
rates.)

BY THE COMMISSION:

OPINION AND ORDER

Charles C. Hopping, a highway contract carrier, seeks authority under Section 11 of the Highway Carriers' Act to transport property in shipments weighing 100 pounds or less between Delano and Earlimart on the one hand and Alpaugh on the other hand, at rates less than the applicable minimum rates.

The minimum rates now in effect for this transportation are contained in Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended, in Case No. 4246.) They consist of class rates varying with the classification of the commodity and the length of the haul. In lieu thereof, applicant proposes to assess and collect rates of 10 cents per shipment for shipments weighing 30 pounds or less; 20 cents per shipment for shipments weighing over 30 pounds but not over 70 pounds; and 30 cents per shipment for shipments weighing over 70 pounds but not over 100 pounds.

Applicant is engaged in transporting property under a government mail contract. In conjunction therewith he also transports shipments of the nature involved in this application, largely as a convenience to the merchants and residents of Alpaugh. He alleges in substance that the rates he is seeking authority to charge are as high as customers in the community are able to pay; that little expense other than that involved in performing the mail route service is encountered and hence the proposed charges would be compensatory; and that his operation is not competitive with other carriers.

We are of the opinion that this is not a matter in which a public hearing is necessary and that, under the circumstances, the sought rates will be reasonable for the transportation involved. The authority will be granted for a period of one year, subject to earlier revision, cancellation or extension by appropriate order of the Commission.

Therefore, good cause appearing,

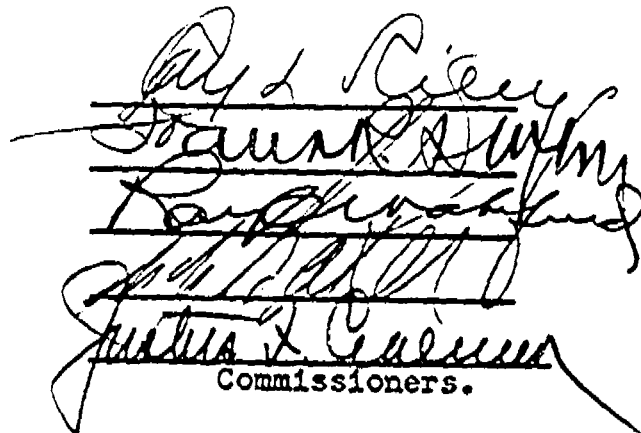
IT IS HEREBY ORDERED that Charles C. Hopping, a highway contract carrier, be and he is hereby authorized to charge and collect rates less than the minimum rates contained in Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended, in Case No. 4246,) for transportation of property between Delano and Earlimart on the one hand, and Alpaugh on the other hand, but not less than the following rates:

<u>Weight of Shipment</u>	<u>Rate Per Shipment (In Cents)</u>
30 pounds and less	10
Over 30 pounds but not over 70 pounds	20
Over 70 pounds but not over 100 pounds	30

The authority herein granted shall expire one (1) year from the date hereof unless sooner changed, cancelled or extended by appropriate order of the Commission.

The effective date of this order shall be five (5) days after the date hereof.

Dated at San Francisco, California, this 9th day of April, 1940.


Commissioners.