

Decision No. 34600

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of I. R. and W. H. Gilbert, a co-)	Application No. 22947
partnership, to charge less than)	
established minimum rate.)	

ORIGINAL

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

By Decision No. 32322 of September 19, 1939, as amended, in the above entitled application, I. R. and W. H. Gilbert, copartners, operating as a radial highway common and highway contract carrier, were authorized to transport ice under contract with Union Ice Company between Watsonville Junction and designated points adjacent to Salinas, at a rate less than the established minimum rate. This authority expired September 19, 1941.

By supplemental application a continuance of the authority is sought.¹ It is alleged that, except for an increase in operating expenses of not more than 10 per cent, conditions surrounding this transportation have not changed materially since the issuance of Decision No. 32322, supra, and that unless the application is granted the traffic will gravitate to proprietary trucking. It is also alleged and the record shows that, notwithstanding the increase in operating expenses just discussed, the sought rate would be profitable.

It appears that this is a matter in which a public hearing is not necessary, and that the applicant should be authorized again to observe the level of minimum rates authorized by prior decisions

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Inasmuch as the authority previously granted to charge less than the established minimum rates has expired, the supplemental application will be considered as a request for reinstatement thereof.

herein. The application will be granted. Due, however, to the possibility that conditions under which the service is rendered may change at any time, the authority will be limited to a one-year period.

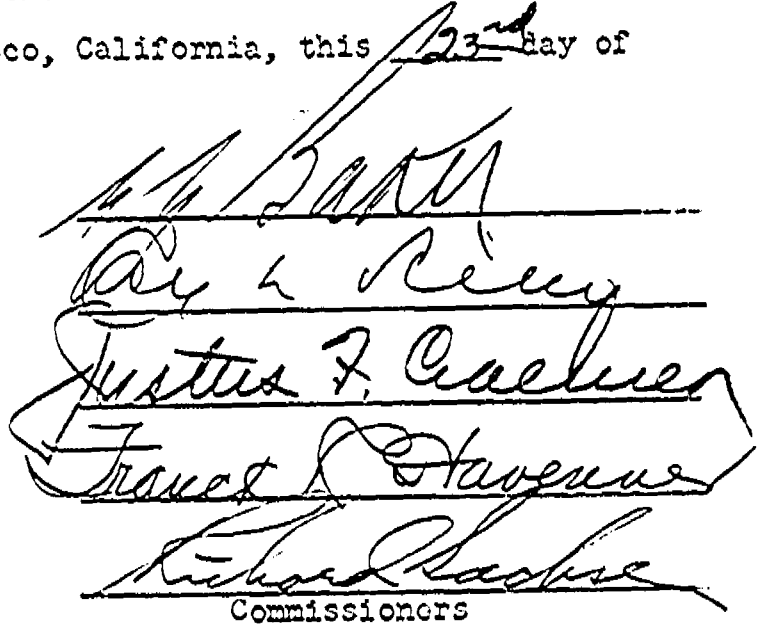
Therefore, good cause appearing,

IT IS HEREBY ORDERED that I. R. Gilbert and W. H. Gilbert, copartners, be and they are hereby authorized to transport ice under contract with Union Ice Company between Union Ice Company's plant at Watsonville Junction on the one hand, and Union Ice Company's Shed and Growers' Shed located adjacent to Salinas on the other hand, at rates less than the established minimum rates, but not less than 75 cents per ton of 2,000 pounds, subject to a minimum weight of 15 tons per shipment.

This authority shall expire one (1) year from the effective date of this order unless sooner changed, canceled or extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 23rd day of September, 1941.


Commissioners