

ORIGINAL

Decision No. 35016

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of FORTIER TRANSPORTATION COMPANY,)	
a copartnership, for authority to)	Application No. 22548
charge less than minimum rates)	
under the provisions of the High-)	
way Carriers' Act.)	

BY THE COMMISSION:

FIFTH SUPPLEMENTAL OPINION AND ORDER

By Decision No. 32816 of February 13, 1940, as amended, in the above entitled application, Fortier Transportation Company was authorized to transport coca cola for Coca Cola Bottling Company of Fresno from its Fresno plant to warehouses situated at designated points in the San Joaquin Valley at rates less than the established minimum rates. The rates so authorized include the return of empty containers when transported on return trips. They will expire February 23, 1942. By supplemental application filed January 29, 1942, a one-year extension of the authority is sought.

It is alleged that the changes in the conditions surrounding the transportation in question which have been experienced since the issuance of Decision No. 32816, supra, have not impaired applicant's ability to perform this transportation on a profitable basis under the sought rates. Admittedly, labor expense and other factors of operating cost are now higher than when these rates were first authorized. These increases, however, are said to have been offset by operating economies resulting from arrangements made with the interested shipper which have expedited the loading and unloading of applicant's equipment. Otherwise, it is represented, conditions surrounding the handling of this traffic have not materially changed. Operations under the rates in question are said to have been

profitable.

It appears that this is a matter in which a public hearing is not necessary and that the proposed extension of the authority is justified. The supplemental application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the expiration date of the authority granted Fortier Transportation Company, a copartnership, by Decision No. 32816 of February 13, 1940, as amended, in the above entitled application, be and it is hereby extended to February 23, 1943, unless sooner changed, canceled or extended by appropriate order of the Commission.

This order shall become effective February 21, 1942.

Dated at San Francisco, California, this 10th day of February, 1942.

Justus J. Casner
Ray & Riley
W. Baker
Francis L. Havenue
Richard Harbo
Commissioners