

Decision No. 35237

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	)	
of A. M. GROSS and F. GROSS, co-	)	
partners doing business under the	)	
firm name and style of GROSS	)	Application No. 22240
SYSTEMS, for authority to charge	)	
less than minimum rates under the	)	
provisions of the Highway Carriers'	)	
Act.	)	

**ORIGINAL**

BY THE COMMISSION:

THIRD SUPPLEMENTAL OPINION AND ORDER

By Decision No. 32960 of April 2, 1940, as amended, in the above entitled proceeding, A. M. Gross and F. Gross, co-partners doing business as Gross Systems, were authorized to transport property for Certified Grocers, Inc. between points in southern California at rates less than the established minimum rates. This authority will expire April 12, 1942. By supplemental application, filed March 24, 1942, the co-partners seek authority to observe, for a further period of one year, rates less than those prescribed as minima but approximately 10 per cent higher than the rates heretofore authorized in this proceeding.

This appears to be a matter in which a public hearing is necessary. It is impracticable, however, to hold the hearing and dispose of the matter prior to the expiration of the present authority. Under the circumstances a further extension should be permitted. Applicants do not request continuation of the full relief previously granted and the further extension should, therefore, be limited to the authority which is now sought. That authority will be granted for

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The authority held by applicants affects only transportation from Certified Grocers' warehouse situated in Vernon to points not more than 100 miles distant and transportation of returned merchandise.

a 60-day period and a public hearing scheduled in the matter.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 32960 of April 2, 1940, as amended, in the above entitled proceeding, be and it is hereby further amended by substituting for the distance rates set forth in Appendix "A" thereto, the following distance rates:

<u>Constructive Miles</u>		<u>Minimum Rates</u>
<u>Over</u>	<u>But Not Over</u>	<u>In Cents Per 100 Pounds</u>
0	5	5½
5	10	6½
10	20	8
20	30	9
30	40	10
40	50	11½
50	75	15½
75	100	18

and that, as so amended, the authority granted A. M. Gross and F. Gross, co-partners doing business as Gross Systems, by said Decision No. 32960, as amended, be and it is hereby extended to June 11, 1942, unless sooner changed, canceled or further extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of April, 1942.

Justin J. Gorman  
W. H. Riley  
T. H. Baker  
Harold R. Fawcett  
Richard K. Kachal  
 Commissioners