

Decision No. 35393

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
A. D. Paxton, doing business as  
PAXTON TRUCK COMPANY, and M. E. DeLAIR  
and R. B. RENNICK, co-partners doing  
business as DeLAIR TRUCK COMPANY for  
authority to charge less than minimum  
rates established by Decision No. 30600,  
as amended.

Application No. 21893

In the Matter of the Application of  
M. E. DeLair and A. D. Paxton, co-part-  
ners doing business as DeLair Truck  
Company, for an Order of the Commission  
extending the authority heretofore  
granted to M. E. DeLair and R. B. Rennick,  
co-partners doing business as DeLair  
Truck Company, to charge less than mini-  
mum rates established by Decision No.  
30600, as amended (31473), and for author-  
ity to continue to charge the minimum  
rates authorized by Decision 30886 in the  
future.

Application No. 22734

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 33094 of May 14, 1940, as amended, in the above entitled applications, A. D. Paxton, an individual doing business as Paxton Truck Company, and A. D. Paxton and J. C. Peters, co-partners doing business as DeLair Truck Co., highway contract and city carriers, were authorized to transport specified iron and steel articles under contract with Bethlehem Steel Company at rates less than the established minimum rates. This authority is restricted to a specified area in and around Los Angeles. It will expire May 23, 1942. By supplemental application a one-year extension of the authority is sought.

<sup>1</sup> Paxton's authority is an extension of that first granted by Decision No. 30886 of May 23, 1938. The copartners' authority, similar to that held by Paxton, was granted by Decision No. 34378 of July 1, 1941. Precursors of the copartners in the business conducted as DeLair Truck Co., however, formerly held like authority. It was initially granted in the aforesaid Decision No. 30886 to M. E. DeLair and R. B. Rennick, the copartners who then conducted that business.

It is alleged that although applicants have experienced increased operating expenses during the past year they are still able to perform the transportation in issue on a compensatory basis under the rates sought to be continued because of the substantial increase in the volume of traffic resulting from the war effort. It is further alleged that increased cooperation on the part of the shipper and various improvements in operating methods have also assisted applicants in making a reasonable profit under the rates in question.

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. Therefore, good cause appearing,

IT IS HEREBY ORDERED that the expiration date of the authority granted A. D. Paxton, an individual doing business as Paxton Truck Company, and A. D. Paxton and J. C. Peters, copartners doing business as DeLair Truck Co., by Decision No. 33094 of May 14, 1940, as amended, in the above entitled applications, be and it is hereby extended to May 23, 1943, unless sooner changed, cancelled or further extended by appropriate order of the Commission.

This order shall become effective May 23, 1942.

Dated at San Francisco, California, this 19<sup>th</sup> day of May, 1942.

Justus F. Colman  
Ray L. Kiley

Richard Sachs

Commissioners