

Decision No. 35420

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	)	
of J. A. CLARK DRAYING COMPANY, LTD.,	)	
a corporation, for Relief from Ob-	)	Application No. 21087
servance of Minimum Rates Established	)	
by Decision No. 29480 as Modified by	)	
Decision No. 29592.	)	

BY THE COMMISSION:

THIRD SUPPLEMENTAL OPINION AND ORDER

Decision No. 29786 of May 24, 1937, as amended, in this proceeding, authorized J. A. Clark Draying Company, Ltd., a highway contract carrier, to transport shipments of iron and steel articles weighing 15,000 pounds or less for Columbia Steel Company at rates less than the established minimum rates. This authority is limited to shipments originating at the steel company's Torrance plant which are destined to points not more than 20 miles distant therefrom. Applicant requests that the maximum weight of shipments which may be handled thereunder be increased to 20,000 pounds.

In support of this request it is pointed out that at the time the authority in question was first granted minimum rates higher than those permitted by the aforesaid Decision No. 29786 for shipments weighing from 10,000 to 15,000 pounds were not applicable to shipments weighing from 15,000 to 20,000 pounds; that as a result of the subsequent establishment of a different schedule of minimum rates certain shipments within the heavier weight bracket must now be subjected to higher rates than similar shipments within the lighter weight bracket; and that this results in a discriminatory rate situation which the granting of the sought authority will correct.

It appears that this is a matter in which a public hearing is not necessary and that the granting of applicant's request is justified. Therefore, good cause appearing,

IT IS HEREBY ORDERED that Item No. 5 of Appendix "A" of Decision No. 29786 of May 24, 1937, in this proceeding, be and it is hereby amended by substituting "in shipments of 20,000 pounds or less" for the provision "in shipments of 15,000 pounds or less" now appearing in said Item No. 5; and that in all other respects the authority granted by Decision No. 34400 of July 8, 1941, in this proceeding, shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 26<sup>th</sup> day of May, 1942.

Justin J. Calver  
Ray L. Rice

[Signature]

Commissioners