Decision No. 35905

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of J. P. SPAENHOWER, for authority)
to charge less than minimum rates,)   Application No. 21753
under the provisions of the High-)
way Carriers' Act.)

BY THE COMMISSION:

SEVENTH SUPPLEMENTAL OPINION AND ORDER

By Decision No. 30767 of April 11, 1938, as amended, in this proceeding, J. P. Spaenhower, a highway contract carrier, was authorized to transport property from Stockton and Tracy to designated central California points for Western States Grocery Company and Safeway Stores, Inc. at rates less than the established minimum rates. This authority will expire November 5, 1942. By supplemental application, filed October 16, 1942, a one-year extension of the authority is sought.
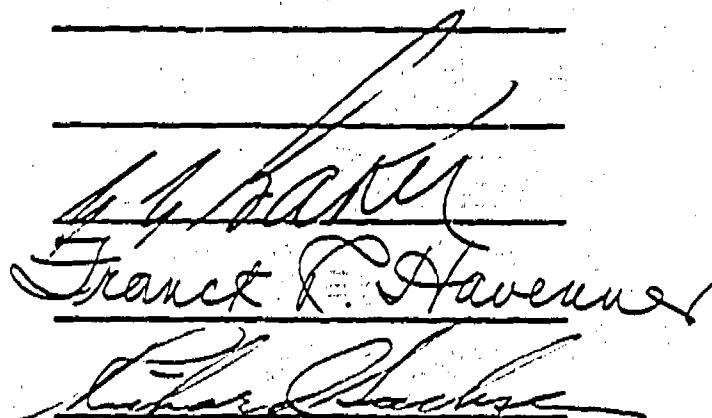
In support of the proposed extension it is represented that applicant's method of operation has not been altered as a result of conditions arising from the war; that this method conforms with the regulations of the Office of Defense Transportation; that, although somewhat higher operating costs recently have been experienced, applicant still derives a substantial profit from the operations in question; and that in other respects conditions surrounding these operations have not undergone any material change.

Under the circumstances it appears that this is a matter in which a public hearing is not necessary and that the proposed extension is justified. The supplemental application will be granted. Therefore, good cause appearing,

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IT IS HEREBY ORDERED that the expiration date of the authority granted J. P. Spaenhower by Decision No. 30767 of April 11, 1938, as amended, in the above entitled application, be and it is hereby extended to November 5, 1943, unless sooner changed, canceled or further extended by appropriate order of the Commission.

This order shall become effective November 5, 1942.

Dated at San Francisco, California, this 27th day of October, 1942.

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Franck R. Havenner

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Commissioners

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