

Decision No. 36088

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of certain railroads (and connecting highway carriers and water lines) for authority to increase their rates, fares and charges (1942).	)	
	)	
	)	Application No. 24670
	)	

In the Matter of the Application of THE TRUCK OWNERS ASSOCIATION OF CALIFORNIA, a corporation, and PACIFIC MOTOR TRUCKING COMPANY, a corporation, for an Order: (1) modifying certain outstanding orders of your Commission establishing minimum rates, rules and regulations for the transportation of various classes of property as herein more particularly described; (2) authorizing highway common carriers and express corporations to increase their local and joint rates and charges as more particularly herein described; and (3) authorizing departures from sections of the Public Utilities Act and of the Constitution, as herein more particularly described.	)	
	)	
	)	Application No. 24724
	)	

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all common carriers as defined in the Public Utilities Act of the State of California, as amended, and all highway carriers as defined in Chapter 223, Statutes of 1935, as amended, for the transportation, for compensation or hire, of any and all commodities.	)	
	)	
	)	Case No. 4246
	)	

In the Matter of the Establishment of maximum and minimum, or maximum or minimum rates, rules and regulations of all common carriers, as defined in the Public Utilities Act of the State of California, as amended, and all highway carriers, as defined in Statutes 1935, Chapter 223, as amended, for the transportation, for compensation or hire, of any and all agricultural products.	)	
	)	
	)	Case No. 4293
	)	

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By virtue of Decision No. 35271 of April 14, 1942, in the above entitled proceedings, the rates of common and highway contract

carriers were increased, with certain exceptions, by six per cent for the transportation of property generally, and by three per cent for the transportation of basic raw products of agriculture, animal products and products of mines. The increased minimum rates established by this decision for radial highway common carriers and highway contract carriers were made effective April 24, 1942. Thereafter, the Office of Price Administration, acting under the Emergency Price Control Act of 1942, issued its General Maximum Price Regulation providing, in general, that the maximum price for any commodity or service shall be the highest obtaining during March, 1942. In so far as it pertained to highway contract carriers this regulation became effective August 1, 1942. Common carrier services were specifically exempted.

On behalf of the highway contract carriers whose minimum rates had been increased by Decision No. 35271, supra, this Commission petitioned the Office of Price Administration to authorize the increased rates prescribed by that decision. The petition has been denied. Under the circumstances the minimum rates established by this Commission for highway contract carriers should not exceed the highest in effect during March, 1942. The force of the competition between contract and common carriers may require the latter in many instances to observe the rates of the former. For this reason the increases in minimum rates established for radial highway common carriers by the aforesaid Decision No. 35271 will likewise be rescinded. Other common carriers finding it necessary to reduce their rates for competitive reasons should make appropriate tariff filings.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Highway Carriers' Tariffs Nos. 2, 4 and 7, issued in Case No. 4246, and Highway Carriers' Tariff No. 8

issued in Case No. 4293, be and they are hereby amended by making a part of each of the aforesaid tariffs, as Supplement 2 thereof, said supplement, which is attached hereto and by this reference made Appendix "A" hereof.

IT IS HEREBY FURTHER ORDERED that in all other respects said Decision No. 35271 shall remain in full force and effect.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 5<sup>th</sup> day of January, 1943.

Justin P. Cameron  
M. B. M.  
Francis C. Havens  
Arthur R. Hays  
Stanley D. Clark  
Commissioners

## Special Supplement Canceling Increased Rates And Charges

Supplement No.	Cancel's Supplement No.	Tariff
2	1	Highway Carriers' Tariff No. 2
2	1	Highway Carriers' Tariff No. 4
2	1	Highway Carriers' Tariff No. 7
2	1	Highway Carriers' Tariff No. 8
<p>Naming</p> <p>Minimum Rates, Rules And Regulations</p> <p>For The</p> <p>Transportation Of Property Over The</p> <p>Public Highways Within The</p> <p>State of California</p> <p>By</p> <p>Radial Highway Common Carriers</p> <p>And</p> <p>Highway Contract Carriers</p>		
<p>⚡ Cancellation</p> <p>All increased rates and charges set forth in Supplements No. 1 to the tariffs shown above are hereby canceled.</p> <p>⚡ Reduction, Decision No. <u>35088</u></p>		
<p>EFFECTIVE January , 1943</p>		

Issued by the  
Railroad Commission Of The State Of California  
State Building, Civic Center  
San Francisco, California