

Decision No. 36185

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application)
of FORTIER TRANSPORTATION COMPANY,)
a co-partnership, for authority to)
charge less than minimum rates)
under the provisions of the High-)
way Carriers' Act.)

Application No. 22548

BY THE COMMISSION:

SIXTH SUPPLEMENTAL OPINION AND ORDER

This application concerns transportation service performed by Fortier Transportation Company for Coca Cola Bottling Company of Fresno. The bottling company operates a plant at Fresno from which it ships coca cola to warehouses situated at various San Joaquin Valley points. For this transportation, applicant has been authorized to observe rates lower than the established minimum rates.¹ This authorization will expire February 23, 1943. By supplemental application, applicant proposes that the authorization be modified by adjusting the volume of the rates permitted to be charged thereunder, and that, as so modified,² the authorization be extended for a period of one year.

The conditions under which the transportation service

¹ The rates applicant has been permitted to observe are 4 cents per case (10.81 cents per 100 pounds) from Fresno to Hanford, Madera, Merced, Tulare and Visalia and 4½ cents per case (12.16 cents per 100 pounds) from Fresno to Coalinga, Los Banos and Porterville. These rates are applicable to minimum quantities of 1,050 cases (38,850 pounds) and include the transportation of empty containers to Fresno when the containers are handled on return trips. The minimum rates otherwise applicable to the transportation in issue, prescribed by Decision No. 31606 (41 C.R.C. 671), as amended, range from 7 cents per 100 pounds from Fresno to Madera to 13 cents per 100 pounds from Fresno to Porterville. For the returned containers the minimum rates range from 4¾ to 8½ cents per 100 pounds.

² The 4-cent and 4½-cent rates per case now authorized are proposed to be changed to 4.24 and 4.77 cents, respectively. In cents per 100 pounds, the proposed adjustments are from 10.81 to 11.45 and from 12.16 to 12.92.

in question is performed are said to be substantially the same as those which prevailed at the time the outstanding authorization was issued. However, it is claimed that since that time somewhat higher operating costs have been experienced and that the additional revenues which would be derived from the proposed adjustments in the authorized rates are necessary to offset the increased costs. Assertedly, the proposed basis would permit applicant to conduct the operations in issue at a satisfactory profit.

It appears that this is a matter in which a public hearing is not necessary and that the proposed modification and extension of applicant's authorization is justified. The supplemental application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the supplemental application filed February 9, 1943, in this proceeding, be and it is hereby granted.

This order shall become effective on the date hereof.

Dated at Los Angeles, California, this 23^d day of February, 1943.

Francis D. Havenue
A. Baker
Justin F. Coe
Richard B. ...
Francis ...
Commissioners