

Decision No. ~~36883~~

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )	
of Fortier Transportation Company, )	
a co-partnership, for authority )	
to charge less than minimum rates )	Application No. 22548
under the provisions of the High- )	
way Carriers' Act. )	

BY THE COMMISSION:

SEVENTH SUPPLEMENTAL OPINION AND ORDER

By Decision No. 32616, as amended, in this proceeding, applicant has been authorized to observe rates lower than the established minimum rates for the transportation of coca cola from the plant of Coca Cola Bottling Company of Fresno to various San Joaquin Valley points.<sup>1</sup> This authorization will expire February 23, 1944. Its extension for a one-year period is now sought. Applicant's verified statements disclose that there has been no material change in the conditions under which the service is performed in the past year during which the authorization in its present form has been in effect. Applicant further represents that the rates involved are reasonable and return an adequate profit.

It appears that this is a matter in which a public hearing is not necessary and that the proposed extension is justified.

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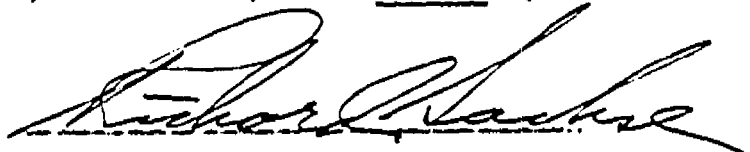
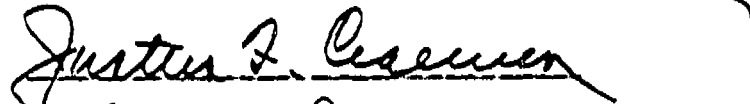
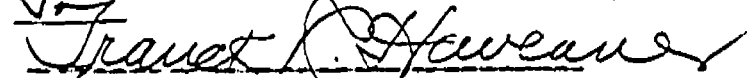
<sup>1</sup> Applicant has been permitted to charge rates of 4.24 cents per case (11.45 cents per 100 pounds) from Fresno to Hanford, Madera, Merced, Tulare and Visalia and 4.77 cents per case (12.92 cents per 100 pounds) from Fresno to Coalinga, Los Banos and Porterville. These rates are applicable on 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. They include a 6% increase in the rates initially authorized in this proceeding which corresponds to the general increase in truck rates made effective in April, 1942. The minimum rates otherwise applicable to the transportation in question are those established by Decision No. 31606 (41 C.R.C. 671), as amended. They 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 4-3/4 to 8 1/2 cents per 100 pounds.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the expiration date of the authority granted Fortier Transportation Company, a copartnership, by Decision No. 32816 of February 13, 1940, as amended, in the above entitled application, be and it is hereby extended to February 23, 1945, unless sooner changed, canceled or further extended by appropriate order of the Commission.

This order shall become effective February 23, 1944.

Dated at Los Angeles, California, this 15<sup>th</sup> day of February, 1944.

  
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Commissioners