

Decision No. 36965

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Wells Fargo Bank & Union Trust Co.,)
 as executor of the estate of Minnie)
 I. Worth, deceased, doing business)
 as C.A. Worth & Co., to charge less)
 than established minimum rate.)

Application No. 22747

ORIGINAL

BY THE COMMISSION:

FIFTH SUPPLEMENTAL OPINION AND ORDER

This proceeding involves rates for the transportation of drugs, drug sunderies and liquors from San Francisco to Oakland, Alameda, San Leandro, Emeryville, Berkeley and Richmond. The minimum rates for this transportation, established by Decision No. 31606 (41 C.R.C. 671), as amended, are stated in cents per 100 pounds and vary with the classification of the property, its weight and the destination point. By prior orders in this application (Decision No. 32842, as amended), Fred N. Worth¹ was authorized to charge Coffin-Redington Company, to and including February, 1944, a monthly rate in lieu of the minimum rates otherwise applicable. He seeks a one-year extension of this authority.

Applicant's verified statements indicate that his employees are now given a two-week annual vacation with pay instead of a one-week vacation and that the interested shipper has agreed to bear this additional expense amounting to \$4 per month per truck. It is alleged that other increases in operating costs have been offset, with the shipper's cooperation, by operating economies and by changed shipping methods. Applicant represents that the transbay traffic is

¹ He acquired C. A. Worth & Co. through distribution of the estate of Minnie I. Worth, deceased.

handled in conjunction with the cartage of drugs and related articles in San Francisco; that equipment assigned to provide transbay service at the monthly rate is nevertheless released by the shipper when not needed in that service; that at those times the equipment is used in general cartage operations; that continuation of a monthly rate basis for the transbay service will permit the retention not only of that business but also desirable cartage business as well; and that, under the circumstances, the proposed rate will be compensatory.

It appears that this is a matter in which a public hearing is not necessary and that the proposed extension of applicant's authority, modified so as to reflect increased costs, is justified.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Fred N. Worth, doing business as C. A. Worth & Co., be and he is hereby authorized to perform the transportation service described in the order contained in Decision No. 32842, in this proceeding, under the terms and conditions set forth in that order, except that the rate per calendar month per truck to be observed as minimum shall be \$298.

The authority herein granted shall expire February 28, 1945, unless sooner changed, canceled or extended by appropriate order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 28th day of March, 1944.

Richard Lachse
Justus J. Cooney
Francis R. Havens
Francis W. Cron
Wm. J. Jones
 Commissioners