

ORIGINAL

Decision No. 37071

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
A. D. Paxton, doing business as)	
Paxton Truck Company and M. E. DeLair)	
and R. B. Rennick, copartners, doing)	
business as DeLair Truck Company, for)	Application No. 21893
authority to charge less than minimum)	
rates established by Decision No. 30600,)	
as amended.)	

In the Matter of the Application of)	
M. E. DeLair and A.D. Paxton, copart-)	
ners, doing business as DeLair Truck)	
Company, for an order of the Commission)	
extending the authority heretofore)	
granted to M. E. DeLair and R. B. Rennick,)	Application No. 22734
copartners, doing business as DeLair Truck)	
Company to charge less than minimum rates)	
established by Decision No. 30600, as)	
amended, (31473) and for authority to con-)	
tinue to charge the minimum rates author-)	
ized by Decision No. 30886 in the future.)	

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 33094 of May 14, 1940, as amended, in these proceedings, A. D. Paxton, an individual doing business as Paxton Truck Company, and A. D. Paxton and J. C. Peters, copartners doing business as De Lair Truck Co., have been authorized to transport iron and steel articles for Bethlehem Steel Company at rates less than the minimum rates otherwise applicable.¹ These authorizations are limited to a specified area in and around Los Angeles. They expire May 23, 1944. By supplemental application, one-year extensions are sought.

The verified supplemental application discloses that,

¹ Paxton's authority was originally granted by Decision No. 30886 of May 23, 1938. The copartner's authorization, which is similar to that held by Paxton, was granted by Decision No. 34378 of July 1, 1941. Predecessors of the present copartnership held like authorization under Decision No. 30886.

because of war conditions, Paxton Truck Company is not now providing the service in question; that it is anticipated that service will be resumed as soon as conditions will permit; that the extension is proposed for this company so that it may be in a position to observe the rates involved upon resumption of operations; that, on the other hand, there have been only minor changes in the unusually favorable conditions surrounding the operations of De Lair Truck Co.; and that its operations under the authorized rates have been fully compensatory.

It appears that this is a matter in which a public hearing is not necessary and that the proposed extension of the authorization of De Lair Truck Co. is justified. Extension of Paxton Truck Company's authorization at this time has not been shown to be necessary. Reinstatement thereof may be requested when definite information can be furnished relative to the resumption of service.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the expiration date of the authority granted A. D. Paxton and J. C. Peters, copartners doing business as De Lair Truck Co., by Decision No. 33094 of May 14, 1940, as amended, in Application No. 22734, be and it is hereby extended to May 23, 1945, unless sooner changed, canceled or further extended by appropriate order of the Commission; and that the requested extension of the authority heretofore granted A. D. Paxton, an individual doing business as Paxton Truck Company, be and it is hereby denied without prejudice.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 23rd day of May, 1944.

Richard Lachs
Justice J. Cassner
Francis D. Havenor

Wm. H. Howell
Commissioners