

**ORIGINAL**

Decision No. 37184

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Walkup Drayage & Warehouse Co., )  
a corporation, for permission under )  
Section 10, City Carriers' Act )  
(Statutes 1935 Chapter 312) to trans- )  
port property within the City and )  
County of San Francisco at rates less )  
than the minimum rates prescribed for )  
City Carriers by Decision No. 28632, )  
as amended, in Case No. 4084. )

Application No. 25595

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

By Decision No. 36395 of June 1, 1943, in this proceeding, applicant was authorized to transport general merchandise for Butler Brothers between points in San Francisco, until June 5, 1944, at a rate less than the established minimum rates. By supplemental appli-<sup>1</sup>cation an indefinite extension of this authority is sought.

It is alleged that the only increase in operating expenses since the rate involved was authorized is that incurred as a result of granting an additional week's vacation with pay to applicant's drivers; and that governmental regulations requiring some curtailment of service have improved the load factor experienced in the operation and offset the increased expenses. The verified application shows that under these conditions the authorized rates have been compensatory.

---

<sup>1</sup> As the authority has expired, the supplemental application will be considered as a request for reinstatement.

It appears that this is a matter in which a public hearing is not necessary and that the authority in question should be reinstated. Due, however, to the possibility that the conditions under which the service involved is rendered may change at any time the reinstatement will be limited to a one-year period.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Walkup Drayage and Warehouse Company be and it is hereby authorized to transport property for Butler Brothers, within the City and County of San Francisco, at a rate less than the minimum rates established for such transportation by Decision No. 28632, of March 16, 1936, as amended, in Case No. 4084, but not less than 11 cents per 100 pounds, minimum charge 30 cents per shipment, minimum weight 5,000 tons per calendar year; and that this authority shall expire one (1) year from the date hereof 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 14th day of July, 1944.

Richard Sachs  
Justin J. Cooney  
Francis R. Havenner

Sam H. Russell  
Commissioners