

Decision No. 37200

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of WALKUP DRAYAGE AND WAREHOUSE)
CO., for authority under Section)
10 of the City Carriers' Act and)
Section 11 of Highway Carriers')
Act to perform transportation at)
a lesser rate than the established)
minimum rates.)

Application No. 24949

ORIGINAL

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

By Decision No. 35320 of May 5, 1942, as amended, applicant was authorized to transport bakery goods in a routed delivery service until May 18, 1944, at rates less than the established minimum rates. The transportation is performed for National Biscuit Company and Loose-Wiles Biscuit Company. The shipments originate in San Francisco and Oakland and are delivered at points within these cities and at various points along defined routes extending to such boundary points as Willits, Calistoga, Suisun-Fairfield, Tracy and San Jose. By supplemental application, a one-year extension of the authority is sought.

It is alleged that, except for an additional week's vacation with pay granted drivers, operating expenses have not changed materially since this matter was last considered; and that the shipper has agreed to bear the added vacation expense. Applicant's verified statements disclose that operations under the authorized rates as so modified have been compensatory.

1

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 for a one-year period subject to the provision that the expense incurred by applicant by reason of granting the drivers an additional week's vacation with pay be paid by the shipper.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Walkup Drayage and Warehouse Co. be and it is hereby authorized to transport bakery goods, viz.: biscuits, cookies, crackers, matzos, pretzels and toast, for National Biscuit Company and Loose-Wiles Biscuit Company from San Francisco and Oakland to points within the area embraced by Application No. 24949, filed April 27, 1942, at rates less than the established minimum rates but not less than the basis of rates set forth in said application plus a charge which reflects payments to drivers for one week's vacation; 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 11th day of July, 1944.

Richard Lachis
Justus F. Crocker
Frank R. Havenner

Ernest Powell

Commissioners