

Decision No. 37589

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all common carriers as defined in the Public Utilities Act of the State of California, as amended, and all highway carriers as defined in Chapter 223, Statutes of 1935, as amended, for the transportation, for compensation or hire of any and all commodities.

Case No. 4246

ORIGINAL

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

Prior orders in these proceedings have prescribed minimum rates, rules and regulations for the transportation of property by common and highway carriers. By petition, Dolores Mancarti, a highway contract carrier, seeks relief under Section 11 of the Highway Carriers' Act from the observance of minimum rates prescribed for shipments weighing 100 pounds or less.

Petitioner states that Dolores Mancarti is primarily engaged in the operation of a United States mail route between San Andreas and Sheepranch; that she has been asked to transport small shipments of groceries, drugs and sundry supplies as a convenience to certain persons living along the mail route; that no other carrier provides service of this character along this route; and that the prescribed minimum rates are excessive for the service here involved. These operations are substantially different from those for which the established minimum rates were primarily designed, and are surrounded by conditions, materially similar to those prevailing in rural, sparsely settled areas where other carriers have been granted exemption from the prescribed minimum rates.

It appears that this is a matter in which a public hearing is not necessary and that the granting of the sought exemption is justified.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 31606, as amended, in this proceeding, be and it is hereby further amended by adding Dolores Mancarti to the list of carriers contained in paragraph (c) of Finding No. 14 thereof.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 32 day of January, 1945.

Richard L. Laska

Justice J. Greener

Francis W. O'Connell

James W. Luce
Commissioners