

Decision No. ~~40206~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 FORTIER TRANSPORTATION CO., a co-)
 partnership, for authority to depart)
 from the rules and regulations of)
 Highway Carriers' Tariff No. 2, under) Application No. 26241
 the provisions of the Highway Carriers)
 Act.)

ORIGINALFOURTH SUPPLEMENTAL OPINION AND ORDER

Fortier Transportation Company transports groceries for Better Buy Grocery Company from Fresno to points within a 120-mile radius of that city. It has been authorized by prior orders in this proceeding, (Decision No. 37338 of September 20, 1944, as amended), to deviate from the minimum rates otherwise applicable to this transportation by classifying the commodities shipped on a fixed percentage basis instead of in accordance with the actual consist of the consignments and, in connection with split delivery shipments, by observing a flat rate in lieu of rates varying with the weights of the component parts of such shipment. Charges so determined may not be less than those produced by a rate of 20½ cents per 100 pounds. This authority is scheduled to expire on April 30, 1947. Applicant now proposes that the minimum rate be increased from 20½ to 23½ cents and that as so modified the authority be extended for one year.

In April, 1946, when this matter was last considered, applicant showed among other things that the traffic in question was handled under conditions tending to reduce its operating costs; that, on an over-all basis, revenues under the rate arrangements then proposed and subsequently authorized would be substantially higher than the revenues which would be derived from the minimum

rates; and that the deviations from classification and weighing requirements involved were necessary in order to prevent the diversion of Better Buy's traffic to proprietary carriage. Applicant alleges that the 3-cent increase which it now proposes in its minimum rate is designed to offset higher operating expenses experienced during the past year, that in other respects the general conditions and circumstances surrounding this transportation have not changed materially and that the sought rate basis is reasonable and will produce a satisfactory profit.

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

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 37338, as amended, in this proceeding, be and it is hereby further amended by providing that the per-shipment charges determined thereunder shall not be less than those produced by a rate of $23\frac{1}{2}$ cents per 100 pounds, and by extending the expiration date to April 30, 1948, unless sooner changed or further extended by appropriate order of the Commission.

This order shall become effective on April 30, 1947.

Dated at San Francisco, California, this 29th day of April, 1947.

Harold H. Kula
Justus F. Coakley
Paul H. Miller
A. J. [unclear]
Samuel H. [unclear]
 Commissioners