

ORIGINAL

Decision No. 40514

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
W. A. Baxter, for Relief under Section
11 of the Highway Carriers' Act,
Chapter 223, Statutes of 1935 of the
State of California, as amended, and
under Section 10 of the City Carriers'
Act, Chapter 312, Statutes of 1935
of the State of California, as amended.)

) Application No. 24903
) (5th Supplemental)

FIFTH SUPPLEMENTAL OPINION AND ORDER

Decision No. 35554, as amended, in this proceeding, authorized W. A. Baxter to transport property used by Pacific Electric Railway Company in connection with the construction, maintenance or removal of its facilities at rates less than those established as minima. This authority expires July 18, 1947. By supplemental application filed July 3, 1947, applicant seeks a one-year extension.

The verified supplemental application shows that the general conditions surrounding the transportation involved have not changed; that operations under the authorized rates during the past year have been profitable; and that the continued application of such rates during the ensuing year is expected to produce compensatory charges.

It appears that this is a matter in which a public hearing is not necessary and that the application should be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the authority heretofore granted W. A. Baxter by Decision No. 35554, as amended, in this proceeding, be and it is hereby extended to July 18, 1948, unless sooner

changed, canceled, or further extended by appropriate order of the Commission.

This order shall become effective July 18, 1947.

Dated at San Francisco, California, this 8th day of July, 1947.

Harold P. Hula

Justin J. Casner

Frank Russell

A. J. ...

Kenneth Potter

Commissioners