

Decision No. 42301

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

Application No. 26241  
(Sixth Supplemental)

SIXTH SUPPLEMENTAL OPINION AND ORDER

Prior orders in this proceeding have authorized the applicant corporation and its predecessor, Fortier Transportation Company, a copartnership, to deviate from the established minimum rates in connection with the transportation of groceries for the Better Buy Grocery Company. The authority applies only to transportation performed within a 120-mile radius of Fresno. It is scheduled to expire April 30, 1949. A one-year extension on a modified basis is now sought.

The current authorization permits classification of the property shipped on a fixed percentage basis and observance of a flat split delivery rate. Thereunder, the property in individual shipments is not classified according to the actual consist but according to percentages determined on an over-all basis. Similarly, an average rate replaces varying rates otherwise applicable to split delivery shipments. Per-shipment charges so determined may not be less than those produced by a rate of 27 cents per 100 pounds. Applicant proposes to reduce the 27-cent rate to 24 cents.

The verified supplemental application shows that applicant and its shipper have recently agreed upon and effected changes in shipping procedures which will improve load and use factors and reduce operating costs; that the proposed rate adjustment is designed to

reflect these operating economies and is necessary in order to forestall diversion of the traffic to proprietary hauling; and that profitable operations under the basis now sought may reasonably be anticipated for the ensuing year.

It appears that this is a matter in which a public hearing is not necessary, and that the granting of the sought authority is justified. To prevent a lapse of applicant's authority, the order will be made effective April 30, 1949.

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 24 cents per 100 pounds, and by extending the expiration date to April 30, 1950, unless sooner changed or further extended by order of the Commission.

This order shall become effective April 30, 1949.

Dated at Los Angeles, California, this 26<sup>th</sup> day of April, 1949.

W. Z. Zimmerman  
Justus F. Casper

Harold P. Hale

Lawrence P. Potter  
Commissioners