

ORIGINAL

Decision No. 43171

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| In the Matter of the Application of) | |
| JOHN T. LANE for an order granting) | |
| permission to charge less than the) | Application No. 28709 |
| minimum rates on shipments trans-) | (Second Supplemental) |
| ported for The Coca-Cola Company.) | |

SECOND SUPPLEMENTAL OPINION AND ORDER

Applicant is a highway contract carrier. He transports syrup and empty syrup barrels for The Coca-Cola Company. For such transportation, he has been authorized, by Decision No. 40914 of November 12, 1947, as amended, in this proceeding, to observe rates not lower than the minimum rates in effect on August 31, 1947, in lieu of the increased minimum rates subsequently established. The authority, as it now stands, is limited to operations between San Francisco and San Rafael, Petaluma, Santa Rosa, Willits, Eureka, Vallejo, Napa, Sacramento, Oakland, San Mateo, San Jose, Salinas, Monterey, Watsonville, Santa Cruz, Stockton, Modesto, Merced, Fresno and Visalia. Its extension to operations between San Francisco and Hayward, Pittsburg and Marysville is sought.

The verified supplemental application shows that the interested shipper has recently established bottling plants at the three additional points; that operations from and to these plants are similar to operations from and to the twenty plants covered by the outstanding authority; that operations under that authority have been profitable; that those to be conducted under the proposed extension may reasonably be expected to be profitable; and that this extension is necessary to avoid diversion of traffic from for-hire to proprietary operations.

Competing carriers have been notified of the proposed extension of applicant's authority. No objection has been offered.

It appears that this is a matter in which a public hearing is not necessary and that the rates proposed for transportation between San Francisco and Hayward, Pittsburg and Marysville have been shown to be reasonable. The supplemental application will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the authority granted by Decision No. 40914 of November 12, 1947, as amended, in this proceeding, be and it is hereby further amended by substituting the following for the first ordering paragraph of said Decision No. 40914:

"IT IS HEREBY ORDERED that John T. Lane be and he is hereby authorized to transport syrup for The Coca-Cola Company from San Francisco to San Rafael, Petaluma, Willits, Eureka, Santa Rosa, Vallejo, Napa, Sacramento, Oakland, San Mateo, San Jose, Salinas, Monterey, Watsonville, Santa Cruz, Stockton, Modesto, Merced, Fresno, Visalia, Hayward, Pittsburg and Marysville and empty syrup barrels from the above listed points to San Francisco, for The Coca-Cola Company, at rates lower than the minimum rates for such transportation but not lower than the minimum rates for like transportation in effect on August 31, 1947."

In all other respects the aforesaid Decision No. 40914, as amended, shall remain in full force and effect.

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

Dated at Los Angeles, California, this 2nd day of August, 1949.

Richard J. [Signature]
Justice F. [Signature]
[Signature]
[Signature]
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Commissioners