

**ORIGINAL**

Decision No. 47452

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of J. H. DEVINE and J. J. DEVINE, )  
co-partners doing business as )  
DEVINE and SON TRUCKING COMPANY )  
for Section 11 Relief. )

Application No. 32441  
(1st Supplemental)

FIRST SUPPLEMENTAL OPINION AND ORDER

Applicants transport lumber from the Glenco Forest Products Company mill at Elk Creek to various wholesale lumber businesses at Sacramento. By Decision No. 45936 of July 10, 1951, in this proceeding, they were authorized to observe a rate of 16 cents per 100 pounds in lieu of the minimum rate of 20 cents otherwise applicable to this transportation. The authority is scheduled to expire July 30, 1952. Permission is now sought to continue to deviate from the minimum rate for a further one-year period. Applicants propose, however, that the authorized rate be increased from 16 to 17 cents.

The verified supplemental application shows that, except for increased operating costs, the conditions surrounding the transportation in question which justified deviation from the minimum rate generally still obtain; that operations under the 16-cent rate have been profitable; that the proposed increase in that rate will offset the higher operating costs; and that operations under the 17-cent rate may reasonably be expected to be profitable during the ensuing year.

It appears that this is a matter in which a public hearing is not necessary and that the sought modification and extension of applicants' authority is justified and should be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 45936 of July 10, 1951, in this proceeding, be and it is hereby amended by substituting in the first ordering paragraph thereof, "but not less than 17 cents per 100 pounds" for "but not less than 16 cents per 100 pounds"; and that the expiration date of the authority granted by said Decision No. 45936, as amended herein, be and it is hereby extended to July 30, 1953, unless sooner changed or further extended by order of the Commission.

This order shall become effective July 30, 1952.

Dated at San Francisco, California, this 8th day of July, 1952.

*R. J. [Signature]*  
President  
*James J. [Signature]*  
*Harold [Signature]*  
*[Signature]*  
Commissioners