

Decision No. 51123

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of	)	
ARNOLD D. CHERRY and STANLEY CHERRY,	)	
copartners, doing business as	)	
ARNOLD D. CHERRY, for an order	)	
authorizing departure from the rates,	)	Application No. 33996
rules and regulations of Highway	)	(Second Supplemental)
Carriers' Tariff No. 2, under the	)	
provisions of Section 3666 of the	)	
Public Utilities Code.	)	

SECOND SUPPLEMENTAL OPINION AND ORDER

Prior orders in this proceeding have authorized applicants to deviate from the minimum rates in connection with the transportation of property for McKesson & Robbins, Incorporated. The authority is limited to transportation from that concern's warehouses in Oakland and San Leandro to points in the East Bay drayage area.<sup>1</sup> Applicants were permitted to observe the monthly minimum rates ordinarily applicable only within the drayage area for both the Oakland transportation wholly within that area and the San Leandro transportation originating outside the area. The authority expired February 16, 1955. Permission is sought to continue to observe the monthly rates for a further six-month period.

The supplemental application, as amended, shows that the conditions surrounding the transportation in question which justified deviation from the minimum rates still obtain. It also shows that operations under the previous authority have been compensatory. Applicants declare that operations under the sought rates may reasonably be expected to be profitable.

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<sup>1</sup> The East Bay drayage area consists of the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont.

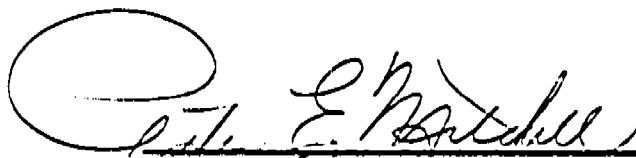
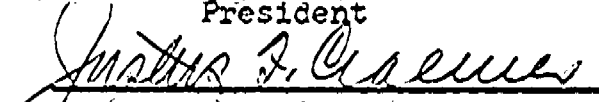
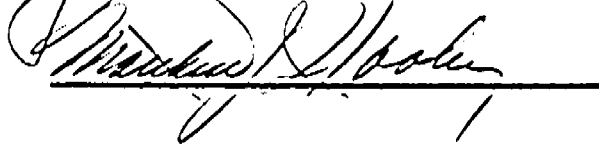
In the circumstances it appears, and the Commission finds, that the proposed rates are reasonable. This is a matter in which a public hearing is not necessary. The supplemental application will be granted. So that applicants' authority will not be inoperative for an appreciable length of time the order will be made effective immediately.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the authority granted Arnold D. Cherry and Stanley Cherry, copartners, doing business as Arnold D. Cherry, by Decision No. 48217 of January 27, 1953, as amended, in this proceeding, be and it is hereby reinstated and the expiration date extended to August 16, 1955, unless sooner changed or further extended by order of the Commission.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of February, 1955.

  
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President  
  
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Commissioners