

Decision No. 51512

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
SIGNAL TRUCKING SERVICE, LTD., a )  
corporation, for authority to depart )  
from the rates, rules and regulations )  
of Minimum Rate Tariff No. 5 (formerly )  
City Carriers' Tariff No. 4, Highway )  
Carriers' Tariff No. 5), Minimum Rate )  
Tariff No. 2 (formerly Highway Carriers' )  
Tariff No. 2) and Minimum Rate Tariff )  
No. 8 (formerly Highway Carriers' )  
Tariff No. 8), under the provisions of )  
the City Carriers' Act and the Highway )  
Carriers' Act. )

Application No. 31378  
(Fourth Supplemental)

FOURTH SUPPLEMENTAL OPINION AND ORDER

Prior orders in this proceeding have authorized applicant to deviate from the established minimum rates, under Sections 3666 and 4015 of the Public Utilities Code, by classifying shipments on a fixed percentage basis in lieu of on the actual classification and by observing other designated special bases for related services. The authority is limited to the transportation of articles of merchandise and store supplies under contract for The Great Atlantic & Pacific Tea Company from that company's Los Angeles warehouse to its retail stores in southern California. It does not allow applicant to observe rates and charges lower than those established as minima but merely permits applicant to deviate from the requirement that the actual classification be used. The authority is scheduled to expire June 25, 1955. Extension of the authority for a further one-year period is now sought.

According to the verified supplemental application, the conditions surrounding the transportation in question which justified deviation from the minimum rates still obtain and the traffic involved has substantially the same classification mixture as when a detailed study was last made.

In the circumstances it appears, and the Commission finds, that the proposed rates and charges are reasonable and consistent with the public interest. This is a matter in which a public hearing is not deemed necessary. The supplemental application will be granted. Applicant holds permits as a radial highway common carrier as well as contract and city carrier. Section 3542 of the Public Utilities Code forbids carriers to operate both as a common carrier and as a highway contract carrier of the same commodities between the same points. Accordingly, the authority hereinafter granted will contain a restriction to preclude conflict with the statutory prohibition.

Therefore, good cause appearing,


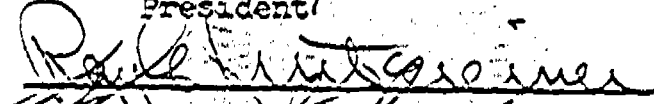
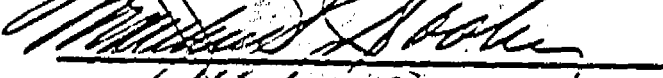
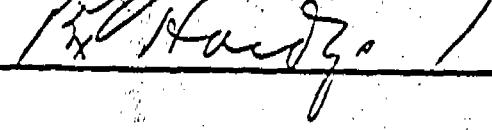
IT IS HEREBY ORDERED:

(1) That the expiration date of the authority granted to Signal Trucking Service, Ltd., by Decision No. 50107 of June 1, 1954, in this proceeding, be and it is hereby extended to June 25, 1956, unless sooner changed or further extended by order of the Commission.

(2) That during the period that the authority herein granted is in effect the aforesaid applicant shall not engage in the transportation of the same commodities between the points involved in this authority as a radial highway common carrier, and that any such transportation which applicant may perform in violation of these provisions shall be cause for revocation of the authority herein granted.

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

Dated at San Francisco, California, this 31<sup>st</sup> day of May, 1955.

  
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President  
  
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Commissioners