

justified deviation from the minimum rates still obtain. It shows that operations under the authorized bases of rates have been compensatory, and alleges that the proposed increased rates should permit applicant to enjoy favorable operating results for the ensuing year.

In the circumstances it appears, and the Commission finds, that the proposed bases of charges are reasonable. This is a matter in which a public hearing is not necessary. The supplemental application will be granted. To prevent a lapse of applicant's authority, the order will be made effective November 13, 1955. Because the conditions which justify the granting of the sought authority may change, the authority will be made to expire at the end of one year, unless sooner canceled, changed or extended by order of the Commission.

The special rate authority herein sought and granted is not applicable to common carrier services.² Applicant holds a radial highway common carrier permit as well as the contract carrier permit. 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. The authority hereinafter granted will contain necessary restrictions to avoid conflict with the statutory prohibitions.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Decision No. 50740 of November 3, 1954, in this proceeding, be and it is hereby amended by substituting "Grifall Bros. Trucking Company, a corporation," for "James Grifall, Charles

²

Section 3666 of the Public Utilities Code reads as follows:

"If any highway carrier other than a common carrier desires to perform any transportation or accessorial service at a lesser rate than the minimum established rates, the commission shall, upon finding that the proposed rate is reasonable, authorize the lesser rate."

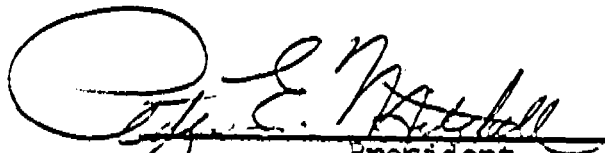
Grifall and John Grifall, copartners doing business as Grifall Bros. Trucking Company," in the order thereof, and by substituting "730" for "719" in Column 1 of Appendix "A" to the decision.

(2) That the aforesaid authority, as so amended, be and it is hereby extended to November 13, 1956, unless sooner canceled, changed or further extended by order of the Commission.

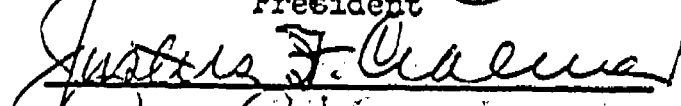
(3) That any transportation performed by applicant as a common carrier of the same commodities between the same points shall be cause for revocation of the authority herein granted.

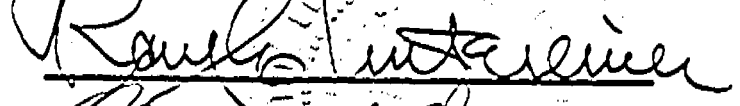
This order shall become effective November 13, 1955.

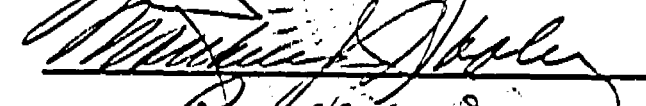
Dated at San Francisco, California, this 7th day of November, 1955.




 President









 Commissioners